

TRIALS FOR ADULTERY:

OR, THE HISTORY OF DIVORCES.

BEING
SELECT TRIALS
AT
DOCTORS COMMONS,
FOR
ADULTERY, | CRUELTY,
FORNICATION, | IMPOTENCE, &c.

From the Year 1760, to the present Time.

Including the whole of the Evidence on each Cause.

TOGETHER WITH
The LETTERS, &c. that have been intercepted between
the amorous Parties.

The whole forming a complete History of the PRIVATE LIFE,
INTRIGUES, and AMOURS of many Characters in the most
elevated Sphere: every Scene and Transaction, however ridic-
ulous, whimsical, or extraordinary, being fairly represented,
as becomes a faithful Historian, who is fully determined not
to sacrifice *Truth* at the Shrine of *Guilt* and *Folly*.

TAKEN IN SHORT-HAND, by a CIVILIAN.

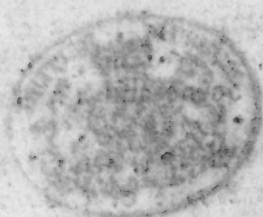
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L O N D O N:

Printed for S. BLADON, No. 13, Pater-noster Row;

MDCCLXXIX.

W. Muggrave.



P H I L I P C A D E, Esq.

AGAINST

C A T H E R I N E C A D E.

LIBEL given in the 5th of *December,*
1772.

IN the above-mentioned libel, Philip Cade, Esq. of the parish of Greenwich, in the county of Kent, sets forth, that, by and with the consent of Sir Charles Whitworth, Knight, on or about the seventh of February, 1766, he married Catherine Whitworth, the second daughter of the said Sir Charles Whitworth, and that such marriage was afterwards consummated, and they lived and cohabited together as man and wife; that they continued to live together till about the month of July, 1771; that the Reverend Dr. Aylmer, of Greenwich, introduced to
their

their acquaintance, his nephew, the Right Honourable Henry Lord Aylmer, Baron of Babrath, in the kingdom of Ireland; and a very improper intimacy was commenced and carried on between Lord Aylmer, and the said Catherine Cade; and he the said Lord Aylmer, during the years, 1769, 1770, and until about the month of July, 1771, constantly, and almost every day, about eleven o'clock in the forenoon, whilst the said Philip Cade was from home, and in London, attending the duty of an office he holds in the Exchequer, went to visit the said Catherine Cade; and the said Lord Aylmer and Catherine Cade were, at such times, generally alone together, an hour or two, in a room in the said Philip Cade's house; and at all, or many of such times, had the carnal knowledge of each other, and thereby committed the foul crime of adultery together; and afterwards they generally went and walked together for some time, in the most familiar manner, in the most private and secret walks in Greenwich Park: that the said Catherine Cade generally

rally contrived to get back to her own house before the said Philip Cade returned: that in or about the month of July, 1771, the said Philip Cade discovered that a criminal correspondence had for some time been carried on between his wife and Lord Aylmer, and acquainted his wife with such discovery, and thereupon they separated; and the said Catherine Cade went to the house of her father, Sir Charles Whitworth, near Edgeware, in Middlesex; but had not been long with him before she persuaded her father, that her situation with him was too public, that retirement best suited her misfortunes; and she proposed Pinner, in the said county, as a place where she might be hid from the world: and the said Sir Charles Whitworth accordingly took a lodging for her, and her maid-servant, Mary Randall, at the house of one Mr. Trevethan, at Pinner aforesaid; and the said Catherine Cade, with the said Mary Randall removed thither, in or about September, 1771: that immediately after the said Catherine Cade went to lodge at the house of the said Mr. Trevethan, at

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Pinner,

Pinner, Lord Aylmer came to visit there almost daily, and they were frequently alone together many hours; and sometimes Lord Aylmer continued with her there for a week or ten days at a time; and, at such times, Lord Aylmer, and Catherine Cade, constantly lay all night in one and the same bed, naked and alone together, and had carnal knowledge of each other, and thereby committed the foul crime of adultery together; during all which time, neither of them pretended to make any secret of their laying together in one and the same bed: that the said Catherine Cade afterwards took a lodging in Pond Street, Hamstead, where she was visited by Lord Aylmer in the same manner: after these, and many other charges against the said Catherine Cade, the said Philip Cade prays that justice may be effectually done and administered to him, and that he may be divorced from bed, board, and mutual cohabitation with the said Catherine Cade, his wife, &c.

Catherine Cade,

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20th January, 1773.

The Deposition of Anne Cole.

ANNE COLE, (wife of Robert Cole, coach-harness maker) of Hyde Street, Bloomsbury, in the county of Middlesex, aged twenty-three years and upwards, a witness produced and sworn, deposes and says, that about the beginning of March last, but she cannot remember the day of the month, a lady, then a stranger to the deponent, but whom she since well knows to be Catherine Cade, (wife of Philip Cade, Esq.) party in this cause, came to the deponent's mother's house, Mrs. Tully's, in Pond Street, Hampstead, in the county of Middlesex, to take a lodging for six weeks; but before she took possession of such lodgings, a gentleman, who was called Sir Charles Whitworth, and appeared as the lady's father, came with her to see if he approved of the lodgings; which consisted of two bed-chambers, a dressing-room, and a parlour: that the said Sir Charles Whitworth never came afterwards; but when the said lady, who

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went by the name of Mrs. Cade, had been about a week or so in her said lodgings, a gentleman came to see the said Catherine Cade, who went by the name of Whitworth, and pretended to be the brother of the said Catherine Cade; but whom the deponent afterwards knew to be Lord Aylmer: that Catherine Cade was in her lodgings three or four days, before her servant, Margaret Wrangle, as she was called, came to her: that the deponent's mother, Mrs. Tully, was not at her house at Hampstead, during the time the said Catherine Cade staid there, except the first night; for she went into Suffolk, and the deponent, and her sister, Sarah Tully, spinster, kept the house in her absence: and the deponent further saith, that the said Catherine Cade, party in this cause, continued to stay in her said lodgings about five weeks, and a day or two; and, in such time, the said Lord Aylmer, who passed for the said Catherine Cade's brother, frequently visited her there, and, from time to time, stayed for upwards of four days and nights together, in the said Catherine

Catherine Cade's apartments; at which times, Catherine Cade used to say she would sleep with her maid: that, once or twice, during the time the said Catherine Cade was in her said lodgings, and whilst Lord Aylmer was there also, the deponent hath gone into the said Catherine Cade's maid-servant's room, about seven o'clock in the morning, but never saw the said Catherine Cade there; and on the deponent's asking the said servant where her mistress was, she has told the deponent that she was lying down by the side of her brother (meaning the said Lord Aylmer) who was ill, and that she had had no rest the whole night: that, about the beginning of the week, in which the said Catherine Cade left her said lodgings, the deponent was up one morning between six and seven o'clock; and, as she was in the yard, she plainly saw the said Catherine Cade standing at her chamber-window, in her night-cap and bed-gown, in the room where the said Lord Aylmer lay, and who was then either in bed, or in the said room; and the said servant-maid did not
get

get up for an hour or two afterwards; then the said Catherine Cade quitted her said lodgings in a hurry, owing, as the deponent believes, to her thinking that she was suspected of carrying on a criminal connection with Lord Aylmer, who passed as her brother; and they both went away together in a post-chaise, on a Saturday, but the deponent knows not where: that, to the best of the deponent's remembrance, the said Lord Aylmer had then been in the house, day and night, for two or three days, immediately previous to their going away: that whilst Lord Aylmer used to be with Catherine Cade, which was very often during her stay at the said lodgings, they used to behave in so strange and riotous a manner, that the deponent thought it very odd for brother and sister to do so; and used commonly to sit up alone together till three o'clock in the morning; from all which circumstances, the deponent is inclined to think, that, at some of the times, that Lord Aylmer stayed all night at Catherine Cade's lodgings, the said Lord Aylmer and Catherine Cade,

Cade, lay in one and the same bed together: and the deponent also saith, that, about six weeks after Catherine Cade had quitted her said lodgings, a gentleman came to the deponent's mother's house, and asked if Mrs. Cade had not lodged there, and he was told that she had, and that her brother was with her; whereupon the said gentleman said that he was Mrs. Cade's husband, and that the person who passed for her brother, was not her brother, but was Lord Aylmer; wherefore the deponent doth believe, that the person who frequently visited the said Catherine Cade, at the house of Mrs. Tully, at Hampstead, and carried on an adulterous correspondence or connection with her there, and passed for her brother, and went by the name of Whitworth, and went away with her in a post-chaise, as aforesaid, and the said Lord Aylmer, was and is one and the same person.

A N N E C O L E.

The

20th January, 1773.

The Deposition of Mary Trevethan.

MARY TREVETHAN, wife of John Trevethan, carpenter and joiner, of Pinner; in the county of Middlesex, aged about forty years, a witness produced and sworn, deposes and says, that, she is not certain of the exact time, but believes it might be about the month of September, 1771, Sir Charles Whitworth, then a stranger to the deponent, came to the deponent's house at Pinner, in the county of Middlesex, and took lodgings for his daughter, Catherine Cade, party in this cause, the wife of Philip Cade, Esq. the producent; and, in a few days afterwards, the said Catherine Cade came to her said lodgings, accompanied by her eldest brother, whom she called, young Sir Charles Whitworth: that the said Catherine Cade continued at her said lodgings till about February following, but the deponent cannot be positive as to the time; but, about the beginning of the month of April following, the said Catherine Cade re-

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turned to the said lodgings, and Lord Aylmer came with her, and staid with her more than a week; and the whole of such time, the said Lord Aylmer and Catherine Cade lay all night in one and the same bed together: that, after he had staid with the said Catherine Cade about a week or more, as aforesaid, he went to town; and, in about a fortnight, as the deponent thinks, he came again to her said lodgings, at the deponent's house at Pinner, and staid about three or four days; and then went into the country, to Warrington Grange, as the deponent believes, and, in about a week or a fortnight, the said Catherine Cade returned to her said lodgings in a post-chaise with one Miss Cooke, a tenant's daughter of the said Lord Aylmer, but Lord Aylmer was not with her: that, about a fortnight or three weeks afterwards, the said Catherine Cade quitted her said lodgings, and Lord Aylmer did not come to visit her, after the time she came with the said Miss Cooke: and, the deponent believes, when Catherine Cade left her said lodgings at Pinner, that she went

to Lord Aylmer's estate at Warrington Grange, for she said she was going there: that, during the several times that Lord Aylmer and Catherine Cade were together at the deponent's house, as aforesaid, the said Lord Aylmer appeared as, and acknowledged himself to be Lord Aylmer; and the said Catherine Cade was known, and passed by her real name of Cade; and neither of them pretended to make any secret to the deponent of their lying together in one and the same bed; and the deponent very often saw them, naked and alone, in one and the same bed together; and spoke to them, and waited on them at those times: that, on their first coming together at Pinner, the said Catherine Cade told the deponent's maid to make up two beds in their said lodgings, but only one was made use of: that some time after Catherine Cade had left her said lodgings, a gentleman came to enquire if Mrs. Cade had lived there, but he did not say who he was; yet the deponent hath been informed, and doth believe, that such gentleman was Philip Cade, Esq. the producer

cent in this cause, the husband of the said Catherine Cade.

MARY TRAVETHAN.

20th January, 1773.

The Deposition of Sarah Tully.

SARAH TULLY, of Pond Street, Hampstead, in the county of Middlesex, spinster, aged twenty years, a witness produced and sworn, deposes and says, that, about the beginning of March last, a lady, who said her name was Cade, and whom the deponent hath since known to be Catherine Cade, wife of Philip Cade, Esq. came to the house of Mrs. Tully, the deponent's mother, in Pond Street, Hampstead, to take lodgings there; and, in a day or two afterwards, the said Mrs. Cade and an elderly gentleman, who was called Sir Charles Whitworth, and was the said Mrs. Cade's father, came with her to see the said lodgings, for his approbation of them: that the said Catherine Cade took possession of the said lodgings, which con-

sisted of two bed-chambers, a dressing-room which went out of one into another, and also a dining-room on the same floor : that the said Sir Charles Whitworth never was in the said lodgings after he first came to see them ; and, in about two days after the said lodgings were taken, the deponent's mother went into Suffolk : that, after the said Catherine Cade had been in her said lodgings about a week, Lord Aylmer came to visit her there, and passed for her brother, and went by the name of Whitworth, and staid with her for a week or ten days together : that, at such times as Lord Aylmer staid all night, the said Catherine Cade hath said that she would sleep with the maid : that one morning, about seven o'clock, the deponent went into the room where Catherine Cade's servant-maid lay, to ask the said servant for a key of a room ; that the said servant, whose name was Peggy Wrangle, was up in the said room, and the deponent, not seeing her mistress, asked where she was ? when the said maid said that her mistress was up, and gone into her brother's room :
that

that Lord Aylmer lay that night in the said Catherine Cade's room, and the deponent believes he was in bed at the said time, that she was told Catherine Cade was gone into the room: that, in about a week afterwards, the deponent and her sister, Anne Cole, were up early to wash, and about or between six and seven o'clock that morning, whilst they both were in the yard of the house, they saw the said Catherine Cade come to the chamber-window, which looks into the yard; and the said Lord Aylmer was then in the room with the said Catherine Cade, and in bed, as the deponent believes, for he had lain there that night: that the said Catherine Cade took the said lodgings for six weeks, but went away, in a post-chaise, with the said Lord Aylmer, about two days before the said time was up: that Lord Aylmer was very frequently with Catherine Cade, and they used to behave in a noisy riotous manner, and kept very late hours: that, after Catherine Cade, and Lord Aylmer had been gone from the said lodgings about three weeks,
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a gentleman came to the house, and told the deponent's mother, who was then lately come home (after having asked if Mrs. Cade had lodged in her house) that the said Mrs. Cade was his wife, and that the person with her, who passed for her brother, was Lord Aylmer: that the deponent and her said sister, Ann Cole, were then both present; wherefore the deponent doth believe, that the person who frequently visited the said Catherine Cade, party in this cause, at the deponent's mother's, and passed for her brother, and went by the name of Whitworth, and went away with the said Catherine Cade, in a post-chaise, from the said lodgings, and Lord Aylmer, was and is the same person.

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The Mark of Sarah Tully,

20th Janu-

20th January, 1773.

The Deposition of John Winter.

JOHN WINTER, of Dowgate-Hill, London, gentleman, aged seventeen years and upwards, a witness produced and sworn, upon being shewn a paper-writing, or exhibit, marked B, saith, that he well knows the said exhibit to be and contain a true copy of the verdict, obtained by Philip Cade, Esq. and Lord Aylmer, and now remaining of record in the court of King's Bench; the deponent, and his fellow-witness, Charles William Carter, having examined the said copy with the original verdict, remaining in the King's Bench treasury, on the 26th day of November last, agreeable to the certificate wrote at the foot of the said copy, to which the deponent's name is subscribed; which he, now viewing, saith, is of his own hand-writing, together with the said certificate; and he thereby knows it to be the same copy he examined as aforesaid: and he doth believe, that Philip Cade, mentioned in the said copy or exhibit marked B, as the plaintiff,

and

and Philip Cade, Esq. the party promoting this cause, was and is one and the same person; and that Lord Aylmer, mentioned in the said exhibit as the defendant, and Lord Aylmer, mentioned in the said exhibit as the defendant; and Lord Aylmer, with whom the said Catherine Cade carried on a criminal correspondence, was and is one and the same person: and that Catherine Cade, also mentioned in the said exhibit, marked B, as the wife of the said Philip Cade, and Catherine Cade, the party accused in this cause, was and is one and the same person, and not divers; and further he cannot depose.

JOHN WINTER.

20th January, 1773.

The Deposition of Charles William Carter.

CHARLES WILLIAM CARTER, of Symond's Inn, London, gentleman, aged about twenty-three years, a witness produced and sworn, upon being shewn a paper-writing or exhibit, marked with the

letter B, faith, that he well knows the said exhibit to be and contain a true copy of the verdict obtained by Philip Cade, Esq. against Lord Aylmer; the deponent having together with his fellow-witness, John Winter, carefully collated and examined the said copy, with the original verdict, now remaining of record in the court of King's Bench; agreeable to the certificate wrote underneath the said copy, to which the deponent's name is subscribed; which he now viewing, faith, is of his own hand-writing; and he thereby knows it to be the same copy he examined as aforesaid; and he doth believe, that Philip Cade, mentioned in the said exhibit B, as the plaintiff, and Philip Cade, Esq. the party promoting this cause, was and is one and the same person; and that Lord Aylmer, mentioned in the said exhibit as the defendant, and Lord Aylmer articulate, was and is the same person and not divers; and that Catherine Cade, also mentioned in the said exhibit marked B, as the wife of the said Philip Cade, and Catherine Cade, the party accused in this cause, was and is one and

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the same person, and not divers; and further he cannot depose.

CHARLES WILLIAM CARTER.

21st January, 1773.

The Deposition of Margaret Orpin.

MARGARET ORPIN, of Church Lane, Whitechapel, in the county of Middlesex, spinster, aged twenty-three years, a witness produced and sworn, deposes and says, that four years ago, last July, she went to live as house-maid to Philip Cade, Esq. and Catherine Cade, his wife, the parties in this cause; they residing at the said Philip Cade's house, at Croomshill, near Greenwich, in the county of Kent; and the deponent continued to live at Croomshill, aforesaid, as their house-maid for upwards of three years: that the deponent knew the said Catherine Cade from her childhood, she and the deponent being both born in the same parish, in Kent: that, during the time the deponent lived at Croomshill, the said Philip
Cade

Cade, Esq. behaved to the said Catherine Cade, his wife, as a good and affectionate husband, and seemed very fond of her, till about three months before the deponent left her said place (but she cannot be exact as to the time) when the said Philip Cade and Catherine Cade separated, by reason, as this deponent imagines, of his suspecting his said wife with carrying on some criminal correspondence or connection: that some few months after the deponent went to live at Croomshill, as aforefaid, the Right Hon. Henry Lord Aylmer, was introduced into the said Philip Cade's family and acquaintance, by his uncle, the Reverend Dr. Aylmer, as the deponent believes: that, after such introduction, Lord Aylmer used to come continually, and almost daily, for about a twelvemonth, as the deponent thinks, to the said Philip Cade's house at Croomshill aforefaid; but used generally to come about eleven o'clock at noon, the time the said Philip Cade was in town, attending a place he had in the Exchequer; and at such times as Lord Aylmer so came to the said Philip Cade's

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house,

house, he used generally to stay an hour or two alone with the said Catherine Cade, in a room called the dressing-room, up one pair of stairs in the said Philip Cade's house, but was not very often at the house when the said Philip Cade was at home: that the said Lord Aylmer, and Catherine Cade, used commonly to go out together about eleven o'clock, when the said Philip Cade has been in town; and Catherine Cade used to return home alone, about, or before two o'clock, the time the said Philip Cade came down to Croomshill from the Exchequer: that the deponent believes Lord Aylmer, and Catherine Cade, used frequently to walk alone in Greenwich Park, for several people have seen them there; that the said Catherine Cade always pulled her cloak and hat off, as soon as she came home from her walks with the said Lord Aylmer, and left the same up stairs to prevent Mr. Cade's suspicion, as the deponent thought, that she had been walking out: and the deponent doth believe that the said Philip Cade was ignorant of the times Lord Aylmer came to his house, and of his going out with

with the said Catherine Cade: that, about the month of July, 1771, as the deponent believes the time to have been, Sir Charles Whitworth, the father of the said Catherine Cade, came to Croomshill, and took his said daughter home to his house, near Edgeware, in the county of Middlesex, the said Philip Cade, and Catherine Cade, his wife, having separated; but further she knows not to depose, save that she, and the other servants of the said Philip Cade, used to think it very odd and improper, the said Lord Aylmer's coming to visit Catherine Cade continually, when the said Philip Cade was from home, and, as the deponent believes, ignorant of the same.

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MARGARET ORPIN.

S E N T E N C E.

Upon hearing the depositions of the witnesses and the pleadings in this cause, a final decree or sentence, was given to the following effect, viz. That the said Catherine Cade, after the solemnization and consummation of the marriage, being altogether unmindful of her conjugal vow, &c. did, in the months and years libelate, commit the crime of adultery, and did violate her conjugal duty; it is therefore decreed and declared that Philip Cade, Esq. ought by law to be divorced and separated from bed, board, and mutual cohabitation with the said Catherine Cade, his wife, &c. until they are reconciled to each other, and they are separated and divorced accordingly, &c.

JOHN HOOKE CAMPBELL, Esq.

AGAINST

ELIZABETH EUSTATIA CAMPBELL.

LIBEL given in the 11th of *December*,
1777.

TH E above-mentioned libel sets forth, that John Hooke Campbell, otherwise John Campbell Hooke, Esq. Lord Lyon King at Arms, for the kingdom of Scotland, in the year 1762, being then a bachelor of the age of twenty-one years, and upwards, made his courtship and addreses in the way of marriage to Elizabeth Eustatia Campbell, (then Elizabeth Eustatia Bassett, of Atherington, in the county of Devon, spinster) of the age of twenty-one years and upwards; and on or about the thirty-first of August, in the said year 1762, they were lawfully
joined

joined together in holy matrimony, according to the rites and ceremonies of the church of England: that immediately after the solemnization of the said marriage, the said John Hooke Campbell, Esq. and Elizabeth Eustatia Campbell, lived and cohabited together at bed and board, as lawful husband and wife, and consummated the said marriage, by carnal copulation, and procreation of children: that, from the time of the said marriage, till about the latter end of the year 1773, the said John Hooke Campbell, constantly behaved to his said wife with the greatest love, tenderness, and affection; and that, during that time, the said Elizabeth Eustatia Campbell was delivered of five children, begotten on her body by the said John Hooke Campbell, who were legally baptized by the names of Matthew, Henrietta, Eustatia, Charlotte, and Louisa: that, about the latter end of the year 1773, the said Elizabeth Eustatia Campbell went to Bath, for the benefit of the waters, and the education of her children, and took her three eldest daughters with her

her for that purpose, and continued to reside at Bath, and in the neighbourhood thereof, till about the month of April last, when she removed to Richmond, in the county of Surry: that the said Elizabeth Eustatia Campbell was and is a very loose woman, and of a lustful and wicked disposition, and, during the time she resided at Bath and Richmond, she secretly kept company with William Wade, Esq. with whom she committed the foul crime of adultery: that, the better to carry on an adulterous intercourse with the said William Wade, she, about Christmas 1776, left her lodgings, and removed into a house she had taken in Brook Street, in the city of Bath; that afterwards the visits of the said William Wade became extremely frequent, he generally coming to visit her after the public-rooms at Bath were over, and sometimes accompanying her home in her carriage, and staying with her alone till one or two o'clock in the morning; that one evening, after Mr. Wade had visited Mrs. Campbell, and was gone, as Jane Guyther, her house-

VOL. IV. B maid,

maid, was taking off the fire in the drawing-room, she over-heard Mrs. Campbell say to her own maid, Mrs. Bagshaw, who was assisting to undress her, that, *Mr. Wade had been wishing to enjoy her*, or words to that effect, and added, *he should not wish it long*: that the said Mrs. Campbell frequently committed adultery with the said Mr. Wade; the party proponent therefore prays right and justice to be effectually done, and administered unto him and his party in the premises, and that the said John Hooke Campbell may be divorced from bed, board, and mutual cohabitation with the said Elizabeth Eustatia Campbell, his wife, &c.

19th December, 1777.

The Deposition of Joseph Harris.

JOSEPH HARRIS, (servant to John Hooke Campbell, otherwise John Campbell Hooke, Esq. the producent in this cause, of Bangeston, in the county of Pembroke) aged twenty-two years, deposes

ses and says, that, on or about the tenth of March, 1774, to the best of this deponent's knowledge and belief, as to the time, he went to live as a servant to Elizabeth Eustatia Campbell, (wife of the producent in this cause) at her house at the Crescent in Bath; that, when the deponent so went to live with the said Mrs. Campbell, he understood she had resided at Bath about half a year; and that she came there for her health, and the education of her daughters; that she had three young ladies, her daughters, who then resided with her: that, in about half a year after the deponent had been with Mrs. Campbell, he first saw Mr. Campbell, her husband, the producent in this cause, who came from his country-seat at Bangeston, in Pembroke-shire, to Bath, and brought with him his youngest daughter: that, the said Mr. Campbell staid at Bath, and lived and cohabited with Mrs. Campbell, his wife, for about six or seven weeks, and then returned into Wales, leaving his wife and her four daughters at Bath; and, in about half a

year afterwards, Mr. Campbell came again to Bath, and staid with Mrs. Campbell a few weeks, as he had done before; that, at such times as Mr. Campbell came and resided with his wife, as aforesaid, they lived and cohabited together like lawful husband and wife, and seemed to be very happy together; and the deponent never heard an angry word pass between them; the deponent further saith, that, from March, 1774, to April, 1777, he constantly lived as a servant with Mrs. Campbell, at or near Bath; and, about April last, Mrs. Campbell and her four daughters removed to Richmond in Surry, (where her son was at school) and the deponent continued to live with her at Richmond for about two months, and left her there in June last, and hath never lived with her since; for he went from Richmond to Bangeston, to his master, Mr. Campbell, in whose service he hath continued ever since: the deponent further saith, that Mrs. Campbell is a very genteel woman, and very modest and decent in her conversation and behaviour, to all appearance: that

that the deponent lived with her, in the Crescent at Bath, for about a year and an half, and then went to live with her at Bathford, where he staid about a year, or more; and Mr. Campbell came twice to see his wife while she was at Bathford: that, from thence, the deponent went with Mrs. Campbell to lodge at the house of one Mrs. Hibbert, in Gay Street, in the city of Bath; and he thinks it was about the fall of last year, (1776) when they went to lodge there; and they staid there between two and three months, as the deponent best recollects; and they then removed to a house Mrs. Campbell had taken in Brook Street, in the said city of Bath: the deponent further saith, that he well knows William Wade, Esq. and came to know him by seeing him about Bath, when the deponent lived with Mrs. Campbell, Mr. Wade being then master of the ceremonies at the public-rooms at Bath: that, after Mrs. Campbell came to lodge at Mrs. Hibbert's, and about a week before she left those lodgings, Mrs. Wade first came to visit her, and he was there

there about twice, and it was in a morning as the deponent thinks; and he staid about an hour, or some such time, as any other visitor did: that, after Mrs. Campbell removed to her house in Brook Street, Mr. Wade's visits to her were very frequent, and he used several times to come to her after the public-rooms were over; and the deponent hath known him to do so in an evening, four or five times in a week; and Mr. Wade used generally to stay alone with Mrs. Campbell, till ten, eleven, or twelve o'clock; and sometimes his chair would come for him at ten o'clock, and then be sent away, and ordered to come again in half an hour, or an hour; and sometimes the chair waited for him; and he used frequently, in the day-time, to come to see Mrs. Campbell, and be alone with her in the dining-room for an hour, or so; and sometimes Mr. Wade and Mrs. Campbell used to sup alone together; at which times the young ladies were kept in the nursery, or were in bed: and, after Mrs. Campbell has supped herself, she has frequently kept the cloth
and

and things in readiness for supper against Mr. Wade came: that the drawing-room (or as they called it, the dining-room, where Mrs. Campbell usually sat) joined to the bed-chamber where Mrs. Campbell lay; and there was a door opened into the said bed-chamber, out of the said drawing-room, and which was the usual way of going out of that room into the bed-chamber; but there was another door to the said bed-chamber, which opened on the landing-place near the stair-case: the deponent further saith, that he well remembers Mrs. Campbell's telling the deponent one morning, that she was at home to no one person whatever, unless it was Mr. Wade: and the deponent further saith, that his present master, Mr. Campbell, never was in Brook Street, or in company with Mr. Wade there; and, as far as the deponent knows or recollects, Mr. Campbell hath never seen or visited Mrs. Campbell, since she left Bathford.

This deponent further deposes and says, that, some time in or about April, 1777, as the deponent best recollects the time,
Mrs,

Mrs. Campbell and her family removed from Brook Street in Bath, to an house she had taken at Richmond in Surry: that, on the day before the first of June last (as the deponent well remembers) Mrs. Campbell, who was then going to an assembly, or concert, at the Hanoverian minister's, on Ham Common, near Richmond, gave the deponent orders to stay at home; and if any body came, the deponent was to come immediately to Ham Common, and to send Mrs. Campbell word, and she would come home directly: that the deponent should have done so, but William Jenkins the coachman, (by way of joke) informed the deponent afterwards, that he was to attend his mistress behind the carriage, to Ham Common; that he accordingly did so, and they returned about eleven o'clock that evening to Richmond: that, when the deponent went to carry up supper, soon after they came home, he saw Mr. Wade alone with Mrs. Campbell; and that Mrs. Campbell then asked the deponent, who he had left orders with, to have sent to her, in case she

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She had been wanted at home; and, on the deponent's telling her with nobody, and that the coachman had told the deponent to attend the carriage, she was displeased, and said she desired the coachman would never do so again: that the deponent then understood Mr. Wade had been waiting for Mrs. Campbell's return, two or three hours: that Mrs. Campbell and Mr. Wade seemed very chearful, and pleased in each other's company, as far as the deponent saw, but he was not permitted to wait at table; and it was not, in general, customary for the servants to wait, unless the company was large: that the young ladies did not sleep in their own chamber that night, but lay up in the garret, and continued so to do, as the deponent believes: that, a little before one o'clock, Mr. Wade went to bed in the chamber which the young ladies had left; and one of the servant-maids (named Lloyd) came to the deponent and told him, her mistress desired he would go into Mr. Wade's room, and ask him if he wanted any thing? That the deponent did

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so, and Mr. Wade ordered the deponent to come again in about ten minutes, and fetch his candle away; and the deponent fetched the candle away as directed; and Mr. Wade was then in bed in the said chamber, which chamber-door was directly opposite the door of Mrs. Campbell's bed-chamber, the passage only dividing the two rooms: that the deponent then went down stairs, and staid about half an hour, when he went up stairs again; and, as he suspected, there was an improper connection, or intimacy, between Mrs. Campbell and Mr. Wade, he went pretty near Mrs. Campbell's chamber-room, and every thing was then quiet; but hearing somebody coming down the garret stairs, he stepped back a little, and plainly saw Mrs. Campbell coming down the garret stairs; and she had a cloak on, and a bed-gown, and a candle in her hand; and the deponent then saw her go into her own bed-chamber, opposite Mr. Wade's room: that the deponent was then in the dark, and stood on the stairs near the said chamber-doors; that, in
about

about a minute or two Mrs. Campbell's room-door was opened, and, from the light occasioned thereby, the deponent saw the shadow of Mrs. Campbell, who stood at her door; and he heard her say, in a low voice, or whispering kind of tone, *You may come now*; and the deponent then saw Mr. Wade come out of his chamber, (the door of which he shut to at the time) and go directly into Mrs. Campbell's bed-chamber, and her room-door was then immediately shut to: that the deponent cannot say whether Mr. Wade was in his shirt only, or not, at that time, as he passed so very quickly: that the deponent went directly and put his ear to Mrs. Campbell's bed-chamber-door, and plainly heard two persons get into bed, one after the other; and the bed cracked as they got into it: that the deponent kept listening at the door, and heard Mr. Wade and Mrs. Campbell laugh, and speak to each other (as if in bed) several times; but they whispered so that the deponent could not distinguish what they said, except that, in about six or seven minutes after

they had been in bed, he plainly heard the bed crack for a little time, and just afterwards Mrs. Campbell said, "My dear, dear, dear Mr. Wade, what happiness do I enjoy!" and he heard the same very plainly; and also, before and after that, he heard kissing very distinctly: and the deponent particularly remembers, that he heard Mrs. Campbell repeat the word dear, three times together: that the deponent continued at and near the said Mrs. Campbell's bed-chamber-door till about a quarter before, or near four o'clock in the morning, when he heard somebody get out of bed; and, in less than a minute's time, Mr. Wade came out of Mrs. Campbell's bed-chamber, and went into his own room, and the deponent saw him go into his own room, but not so distinctly as he had seen him go into Mrs. Campbell's room: that, as Mr. Wade was opening his room-door, the lock and door made a noise; and the deponent plainly heard Mrs. Campbell say, "Don't make such a noise;" that Mrs. Campbell's room-door was not shut till Mr. Wade had got into his

his own room, and had shut his door, and then the deponent saw Mrs. Campbell's room-door put to, though he did not see Mrs. Campbell when she did it: that, before Mr. Wade left Mrs. Campbell's room, he heard the bed crack, or make a noise, a second time: and the deponent saith, that, from all the circumstances aforesaid, he doth sincerely and in his conscience believe, that the said William Wade, Esq. and the said Elizabeth Eustatia Campbell, had, at the time the deponent heard them in bed together, as aforesaid, the carnal use and knowledge of each other's bodies, and committed the crime of adultery together: and the deponent further saith, that Mrs. Campbell was up, and down stairs the said morning, before Mr. Wade; and she ordered the deponent to go to Mr. Wade, and see if he wanted any thing; and the deponent accordingly went into Mr. Wade's bed-chamber; and Mr. Wade was then in bed, who said he did not want the deponent: that Mr. Wade went away about ten or eleven o'clock that morning, having first breakfasted alone with Mrs. Campbell; and

and the deponent carried the breakfast things into the parlour, and saw them alone together; and Mrs. Campbell then said to Mr. Wade, "I have a letter to shew you," and she put her hand in her pocket, and the deponent then came out of the room: he further saith, that, after he had seen Mr. Wade return to his own bed-chamber, about four o'clock in the morning, he went down stairs to the room where he lay, which was beyond the servants-hall.

He also deposes and says, that, in the dusk of the evening of the sixth of June last, 1777, Mr. Wade came again to Mrs. Campbell's house at Richmond, and was alone with Mrs. Campbell in the parlour below stairs, about two hours and an half; that near an hour of that time, they were together in the room without candles, or any light, and it was then after dark: that the deponent then took an opportunity of listening at the parlour-door, and he heard a rustling of cloaths, as if Mrs. Campbell and Mr. Wade were together on the carpet; and he also heard a

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noise,

noise, as if panting of breath, and whispering; and much such a noise (save the cracking of a bed) as he heard when Mr. Wade was in Mrs. Campbell's bed-chamber: and the deponent did then, and still doth verily believe, that Mr. Wade and Mrs. Campbell were then committing the crime of adultery together, by having the carnal use and knowledge of each other's bodies; that, as soon as such noise was over, the parlour-bell rang, and Mrs. Campbell came to the parlour-door, and spoke to the deponent, (who had just left the door, and was gone down towards the kitchen, though he had then turned about, and appeared as if coming up stairs) and ordered him to bring candles, and some wine and water, and cake, which the deponent accordingly brought; and in about half an hour afterwards Mr. Wade went away.

To the two letters, or paper-writings, marked B and C, and now produced and shewn to the deponent, he saith, that, during the time he lived with Mrs. Campbell, at Richmond, she very frequently

quently gave the deponent letters to put into the post, directed to Mr. Johnson, a taylor in Beaufort Square, Bath; and when they first came to live at Richmond, scarce a day passed, but what the deponent put a letter thus directed to Mr. Johnson, into the post-office at Richmond, to go to Bath; and the deponent well remembers one day, the latter end of May, or beginning of June last, that Mrs. Campbell gave him a letter, directed by her, "To Mr. Johnson, taylor, in Beaufort Square, Bath;" but the deponent suspecting the same to be a letter, or to enclose a letter to Mr. Wade, did not put it into the post as he was directed, but opened the said letter, and found the same was merely a cover, without any writing in it, and that it inclosed a letter, sealed up and superscribed in Mrs. Campbell's own handwriting, "William Wade, Esq." that the deponent read the whole of the said letter, and afterwards locked it up in his box: that, a day or two afterwards, Mrs. Campbell gave this deponent another letter to put into the post, which was directed

rected to "Mrs. Bagshaw, Mrs. Croom's,
"New King Street, Bath;" that Mrs.
Bagshaw being Mrs. Campbell's own maid,
(but at that time lying-in at Bath) the
deponent thought there might be some-
thing in the letter to her, concerning Mr.
Wade, and therefore did not put the said
letter into the post, as he was directed,
but opened it, and read it, and then put
it into his box; and the deponent, about
a week afterwards, took an opportunity of
giving both the said letters to one Mr.
M'Andrew, a gentleman who transacted
business in London for Mr. Campbell;
and he said he would take care that Mr.
Campbell should have them; but the de-
ponent did not give Mr. M'Andrew the
cover, directed to Mr. Johnson, inclosing
the letter addressed to William Wade, Esq.
the deponent not thinking the cover of
any consequence, as the letter inclosed
was directed to William Wade, Esq. The
deponent further saith, that two or three
days after he had given the said letters to
Mr. M'Andrew, Mrs. Campbell told the
deponent, that one or two of the letters

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she had given him to put into the post had miscarried; and, a day or two afterwards, the deponent was sent to London with Master Campbell, and when he returned that day to Richmond, his brother, Benjamin Harris, (who was also a footman to Mrs. Campbell) told him in the evening, that his, the deponent's box had been searched, for the deponent's brother having some things in the said box, kept the key that day, and missed the cover, for he knew of the transaction relative to the letters: that the next morning Mrs. Campbell taxed the deponent with having two or three of her letters, and she said that her name was not signed to the letters, and that one of them was directed to Johnson the taylor; she said likewise, that she had proof in her pocket, (by which the deponent imagines she meant the aforesaid cover) that the deponent had had her letters; and also said, that if he had not delivered them to any body, and would give them up to her, she would say no more about the matter: that the deponent only told her, in general terms, that

he had not got the letters, and did not own any thing about his having delivered them to Mr. M'Andrew : and the deponent further saith, that, having now very carefully viewed the aforesaid exhibit or letter, marked B, he well knows the same to be the original letter contained in the aforesaid cover, and written and delivered to the deponent, and intended for the said William Wade, Esq.

He further saith, that he hath seen a great deal of writing of Mrs. Campbell's, and hath often seen her write, and is thereby well acquainted with her manner and character of hand-writing ; and that he doth verily and in his conscience believe, the whole body, series, and contents of the said letter, and the superscription or direction thereon, to be all of the proper hand-writing of Elizabeth Eustatia Campbell, party in this cause ; and he doth also firmly believe, that the word or mark, " I," several times made use of, and repeated in the said letter, marked B, meant and intended the said Elizabeth Eustatia Campbell : and that the words
and

and expressions, “ You, my W——e,
“ dearest of men,” and “ Charming man,”
in the said letter, meant and intended
William Wade, Esq. And the deponent
further saith, that he well knows the
said letter, marked C, (now by him care-
fully viewed) to be the original letter
written and delivered to the deponent,
and intended for Mrs. Bagshaw, as before
set forth; and, for the reasons aforesaid,
the deponent doth verily and in his con-
science believe, the whole contents of the
said letter, and the superscription or di-
rection thereon, to be all of the proper
hand-writing of Elizabeth Eustatia Camp-
bell: and that the words, “ he,” and
“ him,” several times made use of, and
repeated in the said letter, meant and in-
tended the aforesaid William Wade, Esq.
and no other person whatever; and that
by the expression in the said letter, “ I
“ think somebody is very ill,” was meant
and intended, that Mrs. Campbell was ap-
prehenfivè the said Mr. Wade was ill;
and that by the expression, “ If it should
“ please God any thing should happen,
“ do

“ do you go to the place and shew the
“ seals, and desire the man to deliver you
“ four letters directed to William ———,
“ under cover to himself,” and that, by
the further expression, “ Mind not to do
“ this, unless you was to hear from the
“ old man that all was over,” were meant
and intended, that in case any thing fatal
should have happened to Mr. Wade, or
that her criminal and adulterous inter-
course with him was detected, that Mrs.
Bagshaw should produce the two seals in-
closed in the said letter, (now marked C)
by impressions thereof being made in
wax, and now remaining affixed thereon,
to the aforesaid Johnson the taylor, in
Beaufort Square, Bath, at whose house
the deponent verily believes Mrs. Camp-
bell’s letters were left under cover for
William Wade, Esq. and to get back her
said letters; and that by the expression,
“ If the man was to scruple to deliver
“ the letters, take the old man with
“ you,” was meant, that in case the said
Johnson should refuse to deliver the said
letters, Mrs. Bagshaw should apply to
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an old servant of Mr. Wade's, named Fontenelle, (whom the deponent knew, and who was recommended, as the deponent believes, to Mr. Wade's service by Mrs. Campbell) to accompany her to the said Johnson; the said old servant being employed by Mr. Wade, as the deponent verily believes, to fetch the said Mrs. Campbell's letters from the said Johnson, that were intended for the said William Wade, Esq. He further saith, that he perfectly well remembers the two impressions of seals on the inside of the aforesaid letter, marked C, to Mrs. Bagshaw, when he opened and read it, as aforesaid; and that one of the said seals was a cypher, with a coronet on it, and that the other was a woman's head.

He further deposes and says, he firmly believes that the said John Hooke Campbell, Esq. party in this cause, hath never lived or cohabited with the said Elizabeth Eustatia Campbell since she hath (as before set forth) committed the crime of adultery: he further saith, that he hath never, to his knowledge, seen the said Mrs. Campbell

Campbell since he left Richmond, in June last; and he also says, that, to the best of his knowledge and belief, the said Mr. Campbell's long absence from his wife, was owing to his having considerable buildings, and alterations, making in his estate in Wales, which required his attendance there.

JOSEPH HARRIS.

22d December, 1777.

The Deposition of William Jenkins.

WILLIAM JENKINS, coachman to Mr. Hankey, banker, in Arlington Street, Piccadilly, in the county of Middlesex, aged about thirty years, a witness produced and sworn, deposes and says, that eight years ago last Midsummer, to the best of his recollection and belief, as to the time, he went to live as coachman to the parties in this cause, John Hooke Campbell, Esq. Lord Lyon King at Arms,
for

for the kingdom of Scotland, and Elizabeth Eustatia Campbell, his wife: that the said parties then lived at Bangeston, in the county of Pembroke, the seat of the said Mr. Campbell, who was sometimes called Mr. Campbell, and sometimes Lord Lyon: that, when the deponent went first to live with the said parties, they had four children, but, before they left Bangeston, they had five, who are all now living, as the deponent believes; and there are four girls and one boy; that the deponent continued to live with the said parties at Bangeston for about four years, as near as he can recollect, and they then removed to Bath; and the deponent understood they did so, for the better education of the young ladies: that Mr. Campbell staid but a few days at Bath, and then went to settle his son at school at Richmond in Surry; that the deponent staid at Bath with his mistress: that, in a few months afterwards, Mr. Campbell came again to Bath, and lived with Mrs. Campbell for a month or two in the Crescent at Bath; that, from the Crescent, Mrs. Campbell removed

removed to Bathford, about three miles from the city of Bath, but Mr. Campbell was not then with her; and the deponent believes he was at Bageston; but he came to see her once, or perhaps twice, at Bathford: that, from Bathford, Mrs. Campbell removed to lodgings at one Mrs. Hibbert's in Gay Street, in Bath, where they had been before, on their first coming to Bath, and before they removed to the Crescent: that they then staid at Mrs. Hibbert's for a few weeks, when they removed to a house in Brook Street, in Bath, where they staid about two or three months, and then removed to Richmond, in Surry, to a place called Ormond Row, near the school where Master Campbell was placed: that the deponent thinks his said mistress was at and near Bath for about three years and an half, in which time Mr. Campbell came to see her and the children about five or six times, and staid six or eight weeks, or thereabouts, at a time; that whenever Mr. and Mrs. Campbell were together, they seemed to be very happy

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with each other; and the deponent, and he believes every body else, looked upon Mr. Campbell to be an excellent husband: that the deponent doth not recollect that his master ever came to see Mrs. Campbell after she left Bathford, which was a little before Christmas 1776, as the deponent thinks: he further saith, that he very well knows William Wade, Esq. and came first to know him by seeing him at Bath, when the deponent lived there; and Mr. Wade was then master of the ceremonies at Bath: that, after Mrs. Campbell had left Bathford, and had come to lodge at Mrs. Hibbert's, Mr. Wade first came to visit Mrs. Campbell, sometimes for half an hour, or so, in a morning, but not in an evening, as the deponent recollects: that after Mrs. Campbell left Mrs. Hibbert's, and went to live in Brook Street, and had a house to herself, Mr. Wade's visits there were much more frequent, and he used very often after the public-rooms were over in an evening, to come and see Mrs. Campbell, and to sup alone very often with her; and when he
has

has staid supper, he used not to go away till very late, sometimes not till one or two o'clock in the morning, or later; but the deponent (who was Mrs. Campbell's coachman) used not to wait at table: he further saith, that the drawing-room, where Mrs. Campbell used to sit and sup, joined her bed-chamber, and there was a door out of the drawing-room which opened into the said bed-chamber, and another door on the passage to the said chamber.

He also deposes and says, that after Mrs. Campbell had left Bath, and been at her house at Richmond about a month, she went to a concert at some ambassador's house on Ham Common, about three miles from Richmond; and the deponent drove her in her coach; and Mrs. Campbell returned home about nine o'clock, as the deponent thinks: that the deponent understood, by all his fellow-servants, that Mr. Wade was then in the house, and was to sleep there, in the room belonging to the young ladies, who were removed to the garret: that the deponent

is not quite certain whether he saw Mr. Wade or not, that evening; but well remembers seeing him go away the next morning, about nine or ten o'clock: that the room Mr. Wade was to sleep in, was directly opposite Mrs. Campbell's bed-chamber; that the deponent and the servants, suspecting there was an improper connection between Mrs. Campbell and Mr. Wade, agreed to sit up and watch that evening; but Joseph Harris, (the deponent's fellow-witness) thought there would be too much noise if the deponent and the men-servants sat up, and proposed his sitting up alone; which was done accordingly; and, about four o'clock, Joseph Harris, who had watched upon the stairs, came and told the deponent and the other man-servant, Benjamin Harris, that about a quarter after one o'clock that morning, he saw Mr. Wade come out of his bed-chamber, and go directly into Mrs. Campbell's bed-chamber, where he staid till near four o'clock, and then returned into his own bed-chamber; and he also mentioned, that he had heard, as he listened,

listened, enough to make him sure that Mr. Wade and Mrs. Campbell had lain together, and had had the enjoyment or carnal knowledge of each other; and that he heard Mrs. Campbell call Mr. Wade, "My dear Mr. Wade," with other expressions of that kind, and that she told Mr. Wade she then enjoyed great pleasure: he also says, that he verily believes Mr. Wade and Mrs. Campbell lay together that night, and had the carnal use and knowledge of each other, and committed the crime of adultery together, unknown to Mr. Campbell; who had not, as the deponent firmly believes, any knowledge or suspicion of the connection or intercourse aforesaid: that the deponent made a memorandum of the said transaction on the next day, in his pocket-book, by putting down the date, which he now viewing, sees was on the thirty-first of May, 1777.

He further says, that on the sixth of June, 1777, (for the deponent sat down the day of the month) Mr. Wade came in the dusk of the evening to Mrs. Campbell's,

bell's, at Richmond, in a post-chaise and four, and staid alone with Mrs. Campbell in the parlour, over the servants-hall, about an hour : that they sat without candles, and when it was almost dark, for about a quarter of an hour ; that the deponent and the other servants, as they sat in the hall, heard a noise in the parlour, like the moving the leg of a chair up and down, or a person's foot on the carpet ; and, after candles were carried into the room, the deponent went out into the garden, to see if the window-shutters of the parlour (which windows looked into the garden) were shut or not, and saw they were not shut ; that the deponent then got on the garden-wall, and saw plainly into the parlour, and there saw Mr. Wade and Mrs. Campbell sitting close to each other, drinking wine ; and the deponent stood near half an hour looking at them, and saw them kiss each other several times ; and also saw Mrs. Campbell clasp Mr. Wade in her arms, and Mr. Wade doing the same by her ; and Mrs. Campbell reclined her head upon Mr.



*M^r Wade & M^{rs} Campbell discovered in a critical
Situation by William Jenkins.*

Published as the Act directs by S. Bladen 7 Oct. 1760. See Trials for Adultery N^o 31. pa. 34.



Mr. Wade's shoulder; soon after which Mr. Wade rung the bell and went away; and the deponent then got off the wall, and saw Mr. Wade's chaise (with him in it as the deponent believes) driving away from the house: that from the before-mentioned circumstances, the deponent doth believe, that Mr. Wade and Mrs. Campbell had, on the said sixth of June last, the carnal knowledge of each other, and committed the crime of adultery together, at the time the deponent and the other servants heard the noise in the parlour, as before set forth.

To the paper-writings or exhibits, marked B and C, now produced and shewn to the deponent, he saith, that, on the nineteenth or twentieth of June, 1777, the deponent left the service of Mrs. Campbell, as did all her servants (except her own maid-servant, Mrs. Jane Bagshaw, and Benjamin Harris) having been discharged by her: that, about three weeks, or more, before he was so discharged, Joseph Harris shewed the deponent three or four letters, wrote by Mrs. Campbell,
and

and which were to have been put into the post, as the deponent understood ; but the said Joseph Harris opened them, and the deponent was present when he delivered them at Richmond, to one Mr. M'Andrew, of the Custom-house, London, who does business in town for Mr. Campbell : that the deponent, having now carefully viewed and inspected the aforesaid letters, marked B and C, saith, he well knows and remembers they were and are, two of the letters which Joseph Harris shewed him ; and he particularly well remembers the two seals to the letter or exhibit, marked C, directed to Mrs. Bagshaw : he further saith, that he is well acquainted with the manner and character of hand-writing of Mrs. Campbell, having very often seen her write ; and, having viewed the said exhibits, as aforesaid, he saith, that he doth verily believe the whole contents of the said letter, marked B, and the superscription or direction thereon, to be all of the hand-writing of Mrs. Campbell ; and he doth also believe that the word, " I," several times made use of

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and repeated in the said letter, marked B, meant and intended Mrs. Campbell; and that the words and expressions, "You, my W—e, dearest man, and "charming man," in the said letter, marked B, meant and intended William Wade, Esq. and that, by the word, "You," several times made use of and repeated, in the said letter, marked C, was meant and intended Mrs. Bagshaw, own servant-maid to Mrs. Campbell; and that the word, "He," and "Him," several times made use of and repeated in the said letter, meant and intended the said William Wade, Esq. The deponent also saith, that he hath often seen letters written by the said Mrs. Campbell, as he believed, directed to Mr. Johnson, taylor, in Beaufort Square, in Bath, which the said Joseph Harris, or Benjamin Harris, his brother, had orders to put into the post at Richmond; and the said Mrs. Bagshaw was left at Bath, where she was to lye-in, when Mrs. Campbell removed to Richmond, about April, 1777; and she then lodged at one Mrs. Croom's,

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coal-merchant, in New King Street, Bath: he also saith, that he well knows the said Fontenelle, who is a Frenchman, and was a servant to Mr. Wade; and believes he used to go to Mr. Johnson, for letters directed or enclosed, under cover, to him there: he also says, that, to the best of his knowledge, Mr. Campbell hath never cohabited or had any connection with Mrs. Campbell since she hath, as afore-said, committed adultery: that, about seven or eight days before the deponent left Mrs. Campbell's service, she removed to Southampton Street, and the deponent left her there.

WILLIAM JENKINS.

23^d December, 1777.

The Deposition of Jane Gwyther.

JANE GWYTHER, (at present residing with her cousin Mr. Francis Gwyther, No. 17, Little Marybone Street, in the county of Middlesex) spinster, aged

eighteen years, a witness produced and sworn, deposes and says, that, a twelve-month ago last April, 1777, she went to live as house-maid to Mrs. Campbell, party in this cause, at Bathford, about three miles from the city of Bath, and continued in her service till June last, about the thirteenth day of that month; she thinks that Mrs. Campbell then had five children, to wit, four girls and one boy; that, after the deponent had lived about three months with Mrs. Campbell, at Bathford, Mr. Campbell, (party in this cause) the husband of Mrs. Campbell, came there from his seat in Wales, at a place called Bangeston: that Mrs. Campbell was then gone to Cheltenham, in Gloucestershire, to drink the waters there; and Mr. Campbell went there to her: and they came together to Bathford, where Mr. Campbell staid about three weeks, which was the only time the deponent ever saw Mr. Campbell with her mistress: that they then seemed to live very happily, and Mr. Campbell seemed vastly fond of Mrs. Campbell; but she did not seem much

troubled at his going away ; that, about two months, or more, after Mr. Campbell went away, Mrs. Campbell, the young ladies, and the family, removed to lodgings at one Mrs. Hibbert's, in Gay Street, in the city of Bath, where they staid about the space of two months ; and from thence they removed to an house Mrs. Campbell had taken of one Mrs. Roebell, in Brook Street, in Bath, where they staid for three months or more, and then removed to Richmond, at which place Master Campbell was at school : that Mrs. Campbell had taken a house at Richmond, not far from the school, as the deponent understood ; that, after the deponent had been at Richmond about five weeks, Mrs. Campbell discharged the deponent ; and about a week afterwards she discharged her other servants, as the deponent understood : and the deponent further saith, she well knows William Wade, Esq. and came to know him by his visiting Mrs. Campbell, in Gay Street, at Mrs. Hibbert's very frequently, but more frequently in Brook Street ; and the deponent hath

hath let Mrs. Campbell and Mr. Wade in (when the footmen have been out of the way) in an evening, after they have come from the public-rooms: that they used frequently to sup alone together in Brook Street, and Mr. Wade often staid till one o'clock in the morning, and later, alone with Mrs. Campbell in the drawing-room; but his usual time of going away was between twelve and one o'clock; that the drawing-room, in which Mr. Wade and Mrs. Campbell always sat, joined Mrs. Campbell's bed-chamber, and there was a door which opened out of the said drawing-room into the said bed-chamber, and which was Mrs. Campbell's usual way of going into her bed-chamber; but there was another door, which opened upon the passage, to the said bed-chamber, leading to the stair-case: that none of the young ladies, or any servants, lay in the bed or room with Mrs. Campbell; that Mrs. Campbell's bed-chamber was the room under that in which the young ladies lay, in Brook Street.

She

She also deposes and says, that she well remembers, after they had been at Brook Street two or three weeks, or some short time, that the deponent was taking off the drawing-room fire, between one and two o'clock in the morning, and Mr. Wade (who had been alone there with Mrs. Campbell that evening) was then gone away about half an hour; and the deponent heard Mrs. Campbell, and her own maid Jane Bagshaw, laughing together in the bed-chamber; that the maid was then undressing Mrs. Campbell to go to bed; that the deponent stopped a little in taking off the drawing-room fire, and listened, and plainly heard Mrs. Campbell speaking to her said maid, say, "Mr. Wade wishes " to enjoy such a lady as I am," and she, (the said Mrs. Campbell) added further, "He shan't wish it long," and then the said Mrs. Campbell, and her maid Jane Bagshaw, both laughed.

She further deposes and says, that, about five days after she heard the aforesaid expressions of Mrs. Campbell's, she was going up stairs at about twelve o'clock at night

night with some coals for the nursery, and as she was going up stairs she heard a noise in her mistress's bed-chamber, and therefore stopped at the said chamber-door, as she knew Mr. Wade had supped with Mrs. Campbell that night: that, as she listened at the door, she heard some kind of bustling noise, as if on the bed, in the said chamber, and plainly heard Mr. Wade's voice (which she very well knows) and heard him say, "My dear Mrs. Campbell:" that, after the deponent had listened about five minutes, she went up stairs, and, as she was going up stairs, Mrs. Campbell opened the dining-room door, and the deponent turned round and saw her; and then the door was shut again; that, from the aforefaid circumstances, and from the great intimacy between Mrs. Campbell and Mr. Wade, and having several times, both before and after the said transaction, heard kissing in the drawing-room, as she was going by, she doth really believe, that at the time she listened at the door of the said bed-chamber, which opened into the passage,
and

and heard Mr. Wade's voice, as aforesaid, the said Mr. Wade and Mrs. Campbell then had the carnal use and knowledge of each other, and committed the crime of adultery together: and further to this article she knows not to depose, save she knows that Mr. Wade was with Mrs. Campbell the aforesaid evening, not only by means of her having heard his voice as aforesaid, but because she met him about eleven o'clock that evening on the stairs, as he was coming to Mrs. Campbell in the drawing-room.

She further deposes and says, that, about a week after the aforesaid transaction, she again heard a noise or bustling on Mrs. Campbell's bed, between twelve and one o'clock in the morning; that the deponent heard a kind of whispering, but could not distinguish any more than a sound, very much like Mrs. Campbell's, and Mr. Wade's voices; that the deponent firmly believes the said Mr. Wade and Mrs. Campbell did then commit adultery together; that she had let them in that evening, and believes they came from the
new

new rooms at Bath; and they came home alone together in the coach, and they had supped alone together, and the supper-things were carried down before the deponent heard the said noise, and she was coming down stairs at the time of the noise, and heard something fall off the bed: and the deponent further saith, that, for a few days after they had removed to Brook Street, aforesaid, the deponent used to turn down the bed in the evening, but then Mrs. Campbell ordered her not to turn it down, for that she and her maid would do it when she went to bed; for that her little dogs were apt to get into the bed; and the deponent further saith, that, in the evening, she heard Mrs. Campbell and Mr. Wade (for the second time) on the bed, as before set forth: that Mrs. Campbell, after Mr. Wade was gone, and she was in bed, called to the deponent and bid her turn her bed, and place the feet of the bed (which then faced the door in the passage) towards the fire-place, which threw the bed further from the door: and the deponent further saith,

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that,

that, after they removed to Richmond, Mr. Wade came twice to see Mrs. Campbell while the deponent was there, and the first time she well knows was on the thirty-first of May, 1777, because she received a letter that day from her friends at Bathford, and answered it on the sixth of June following, which was the second day he came: and she also saith, that the room or nursery where the young ladies lay, was directly opposite Mrs. Campbell's bed-chamber, at Richmond; that, about a week before the said thirty-first of May, Mrs. Campbell gave the deponent orders to remove the young ladies from the nursery, to sleep in the garret, for she expected a young lady to come to see her, who would lie in that room: that the young ladies were accordingly removed into the garret; that, on the said thirty-first of May, Mrs. Campbell went out in the afternoon; that, about four o'clock that afternoon, Mr. Wade came, and about nine o'clock Mrs. Campbell returned home: that Mrs. Campbell, having given orders for the deponent and Elizabeth
Griffis

Griffis (the cook) to have gone out in the neighbourhood, to have slept that evening, thought they did so, but they could not be accommodated, and therefore the deponent sat up all that night, and the cook went to bed with two of the women-servants: that, as the deponent sat up, she seated herself on the stairs above Mrs. Campbell's bed-chamber; and, about one o'clock, or later, Mrs. Campbell came up stairs very near the top, and went down again, but did not see the deponent, she having no light in her hand; and then went into her own room; and the deponent, as she sat, could see the door of Mrs. Campbell's bed-chamber, and likewise of Mr. Wade's bed-chamber, (which was directly opposite thereto, being the room the young ladies had left:;) that Mrs. Campbell staid in her room for half an hour, or more, and then opened her door, and looked up, as if to see that all was quiet, and then went into her room, and immediately afterwards Mr. Wade came out of his room, and went into

Mrs. Campbell's bed-chamber; that, from Mrs. Campbell's room-door being open, the deponent could see Mr. Wade as he went along, and he was in his shirt and night-cap: that a lamp was burning in Mrs. Campbell's room; that, as soon as Mr. Wade was gone into Mrs. Campbell's room, her bed-chamber-door was shut; and the deponent then went into her fellow-servant's room, and saw nothing further pass that night: but, the next morning, about eleven o'clock, the deponent made Mrs. Campbell's bed, which was tumbled more than it usually was in a morning, and there were marks or stains in the bed as if a man and woman had laid therein, and had been connected together that night; from all which circumstances, the deponent verily believes, the said Mr. Wade and Mrs. Campbell, had lain together in the said bed that night, and had committed the crime of adultery together: that it was on a Saturday when Mr. Wade came and lay with Mrs. Campbell, as aforesaid; that, the next morning, he breakfasted alone with
Mrs.

Mrs. Campbell a little before nine o'clock, and the deponent believes he went away before dinner : that the deponent saw him about eight o'clock on the Sunday morning, in his own room, dressing his hair ; and the deponent was then going into his room, to make his bed, not knowing he was there, for Mrs. Campbell had come down stairs.

She also deposes and says, that Mrs. Campbell told the deponent, in the morning of the fixth of June, to get the bed of the room opposite to her's ready against the evening, but she did not say who it was for : that Mr. Wade came that day to the house, but the deponent did not see him, and only believes he was there that day, from hearing her fellow-servants say so ; that he did not sleep there that night, to the deponent's knowledge ; and further to the said article she knows not to depose.

She also says, that she verily believes Mr. Campbell, the producent, has never lived or cohabited with his wife, Mrs. Campbell.

50 *John Hooke Campbell, against*

Campbell, party in this cause, since she lived at Bathford as aforesaid.

JANE GWYTHYR.

24th December, 1777.

The Deposition of Maria Shyrme..

MARIA SHYRME, spinster, servant to Captain Tower, of Clapham, in the county of Surry, aged twenty-years and upwards, a witness produced and sworn, deposes and says, that five years ago last March, she went to live with Mr. and Mrs. Campbell, parties in this cause, as second-maid to Mrs. Campbell, in whose service the deponent continued till July last; that the said Mr. Campbell was generally called Lord Lyon, and, when the deponent went to live in his service, he and his wife, Mrs. Campbell, resided at Bangeston, in the county of Pembroke; that they lived and cohabited in all respects like husband and wife, and had five children;

dren, and Mr. Campbell used to behave with great affection to her the said Mrs. Campbell, and they were a very happy couple: that the said five children's names were Matthew, Henrietta, Eustatia, Charlotte, and Louisa: that, in the month of June following the month of March, in which the deponent went to live with the said parties in this cause, (but she is not certain as to the year) they removed from Bangeston to Bath, and lodged for a few weeks at one Mrs. Hibbert's, in Gay Street, in Bath, till a house in the Crescent was prepared, and then they removed there in a few weeks after, when Mr. Campbell left Bath to return to Bangeston, and Mrs. Campbell and the young ladies remained in Bath; that Mrs. Campbell and her children and servants staid in the Crescent about a year and an half, and then removed to Bathford, where they staid about a year and an half, or two years; and they then returned to lodgings at Mrs. Hibbert's, in Gay Street, aforesaid; where they staid for a few weeks,

and

and then removed to a house Mrs. Campbell had taken in Brook Street, in Bath, at which place they staid for several months; and from thence removed to Richmond in Surry, where they staid for a few weeks only; that Mr. Campbell used to come twice a year out of Wales to Bath, to see Mrs. Campbell and his children, and the last time he came was when Mrs. Campbell lived at Bathford, and he used to stay a month or two with Mrs. Campbell, and they then appeared to be very happy with each other; and Mr. Campbell always treated Mrs. Campbell, as far as the deponent ever saw or knows, with great affection and kindness; and she believes Mr. Campbell's farms and estates (which are very large at Bangeston) prevented his coming often to Bath, as he was very fond of his farms.

She also saith, that she well knows William Wade, Esq. who was master of the ceremonies at Bath, and came to know him by his frequently visiting Mrs. Campbell at Mrs. Hibbert's, and in Brook Street, aforesaid; that, till Mr Wade

came to visit Mrs. Campbell, the deponent never saw or knew any thing amiss in her behaviour ; for she was always very modest, and genteel in her manner ; that the deponent had no suspicion of any improper connection between Mr. Wade and Mrs. Campbell, at Mrs. Hibbert's, but she had in Brook Street, where Mr. Wade used frequently to come and spend the evening alone with Mrs. Campbell, in the drawing-room, which joined the bed-chamber, where Mrs. Campbell lay : and there was a door, which opened out of the drawing-room, into the said bed-chamber, which was Mrs. Campbell's usual way of going there, and there was another door belonging to the said bed-chamber, and which opened on the passage leading to the stair-case.

She also deposes and says, that several times when Mr. Wade used to visit and be alone with Mrs. Campbell in the evening, in the drawing-room, in Brook Street, she hath heard kissing in the said drawing-room, as she has been going up and down stairs ; but she took no particular notice

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thereof,

thereof, till the eighth of January last, 1777, for the deponent the next day sat it down in a book, and therefore well knows the day; and she saith, that she was then coming down stairs from the nursery (about six or seven o'clock in the evening) which was over the drawing-room, and had some china in her hand; and, hearing a noise in the drawing-room, she set down the china, and listened, for she knew Mr. Wade was alone with Mrs. Campbell, having seen him that afternoon come up stairs to her in the drawing-room: that, as she listened, she heard kissing and a noise or bustle, as if Mr. Wade and Mrs. Campbell were on the carpet together, and a great panting for breath, which she could distinguish to be her mistress's voice: and the deponent saith, that the noise she heard was a very unbecoming kind of noise, and as if a man and woman were then intimately connected together; and the deponent really believes, that Mr. Wade and Mrs. Campbell were then upon the carpet, in the said drawing-room, and were intimately

mately connected, and committed the crime of adultery together: that the deponent listened at the door about ten minutes, till all the noise was over, and then heard Mr. Wade and Mrs. Campbell plainly speaking to each other; that she did not attend to what it was they said, and she went down stairs: she further saith, that, the next evening, between tea and supper, the deponent having heard Mr. Wade's chair come into the house, and knowing that Mr. Wade was afterwards alone with Mrs. Campbell, again listened at the drawing-room-door, a little time after Mr. Wade had been in the room; and again heard just the same kind of noise, and panting as if for breath, as she had heard the preceding evening; and the deponent doth also really believe, that Mr. Wade and Mrs. Campbell had then a criminal connection together, and committed adultery.

She further deposes and says, that, a day or two after the deponent had heard the aforesaid noises, she gave Mrs. Bagshaw (Mrs. Campbell's own maid) to under-

stand what she had heard as aforesaid, that Mrs. Bagshaw told the deponent she wondered how she could have such a bad heart, to think any such thing of her mistress, and added, that there was nothing in it; and that if she (the said Mrs. Bagshaw) thought there was any thing criminal between her mistress and Mr. Wade, she (the said Mrs. Bagshaw) would not stay in the house; or she expressed herself to that very effect: but the deponent afterwards, whenever Mr. Wade came to the house, was ordered to sit up in the nursery (where the young ladies were kept for days together, without coming down to tea in an afternoon, and they used generally to go to bed about eight or nine o'clock :) that Mrs. Bagshaw used, after the deponent had mentioned the aforesaid circumstances to her, but not so much before, to come and sit with the deponent in the nursery, when Mr. Wade has been with Mrs. Campbell; and that, at those times, she would not let the deponent even go down stairs, and Mrs. Campbell avoided seeing the deponent, as she

she believes, and did not speak to her for a month after the deponent had mentioned to Mrs. Bagshaw, about the noise she had heard.

She also deposes and says, that, on the twenty-fifth of February last, 1777, the deponent knowing the day by having set it down in her book, she again took another opportunity of listening at the drawing-room; for she knew Mr. Wade and Mrs. Campbell were alone together, and Mrs. Bagshaw was gone to the play: that she heard Mr. Wade's voice, as his chair came to the house, about nine o'clock that evening; that it was about ten o'clock when the deponent listened, and she heard the very same noise or bustle, and panting and kissing, as she had heard before; and also heard or could plainly distinguish the said Mr. Wade's and Mrs. Campbell's voices that evening; for she had listened once before the noise began; that the deponent heard the like bustle on the eleventh of March following, (for she set the day down in writing) and knew Mr. Wade was then alone in the drawing-room

with Mrs. Campbell, by having heard his voice; that it was then after supper, and Mrs. Bagshaw happened to be below stairs: and the deponent further saith, that she doth verily believe, that, at the times she heard the said noise, (to wit, on the twenty-fifth of February, and eleventh of March, as aforesaid) the said Mr. Wade and Mrs. Campbell were then lying together on the carpet, in the said drawing-room, and had the carnal use and knowledge of each other, and committed the crime of adultery together.

She further deposes and says, that she well remembers, that after Mrs. Campbell removed to Richmond, Mr. Wade came twice to the house; and one of those times he staid all night; that he lay in the room which belonged to the young ladies, who were removed up stairs into the garret for that purpose; and Mrs. Campbell told the deponent she expected a lady to come there that night; and bid her get the room in order, and remove away the children's things; that Mrs. Campbell ordered the cook-maid, and Jane Gwyther, the

the house-maid, (as the house was small) to lie out that night; but the cook lay with the deponent and another servant-maid, and the house-maid sat up, and watched on the stairs, a great part of the night: that Mr. Wade went away after breakfast the next morning: that the next time Mr. Wade came was towards dark, and the deponent thought he would have slept there that night, but he was not above a couple of hours with Mrs. Campbell; that the deponent saw Mr. Wade at each of the times he came to Richmond, as aforesaid, but further to this article she knows not to depose.

To the two letters or exhibits, marked B and C, pleaded and exhibited, and now shewn to the deponent, she saith, that she knows, and is well acquainted with the manner and character of hand-writing of Mrs. Campbell, party in this cause, having very often seen her write; and, having now carefully viewed, perused, and inspected the said two exhibits, saith, that she doth verily and in her conscience believe, the whole bodies, series, and contents

contents of the said letters, or exhibits, and the superscriptions or directions thereon, to be all of the proper hand-writing of the said Mrs. Campbell, party in this cause; and she doth also believe, that the word, "I," several times made use of, and repeated in the said letter, marked B, meant and intended Elizabeth Eustatia Campbell, otherwise Elizabeth Eustachia Campbell, and that the person so meant and intended by the said word, "I," and the said party in this cause, the said Elizabeth Eustatia Campbell, was and is one and the very same person; and that the words and expressions, "You," My "W——e," "Dearest of men," and "Charming man," in the said letter, marked B, meant and intended the aforesaid William Wade, Esq. and she doth also verily believe, that the word, "I," several times made use of, and repeated in the said letter, marked C, meant and intended the said Elizabeth Eustatia Campbell, party in this cause; and that the word, "You," several times made use of, and repeated in the said letter, marked C, meant

meant and intended the aforesaid Mrs. Bagshaw, Mrs. Campbell's own maid, (who was a married-woman and lay-in at Bath, when Mrs. Campbell was at Richmond) and no other person whatever, and that the words, "He," and "Him," several times made use of, and repeated in the said letter, meant and intended the said William Wade, Esq. and no other person whatever: and that the expression in the said letter, marked C, "I think "somebody is very ill," meant and intended that the said Mrs. Campbell, party in this cause, was apprehensive that Mr. Wade was ill; and that the expression, "If it should please God any thing should "happen to you, go to the place, and "shew the seals, and desire the man to "deliver you four letters directed to "William ——— under cover to himself;" and that the further expression, "Mind not to do this, unless you was to "hear from the old man that all was "over," meant and intended, that in case any thing fatal should have happened to the said Mr. Wade, or that Mrs. Camp-

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bell's

bell's criminal and adulterous intercourse with him was detected, that the said Mrs. Bagshaw should produce the two seals, enclosed in the said letter, marked C, by impressions thereof being made in wax, and now remaining affixed thereon, to Mr. Johnson, a taylor, in Brandford Square, in Bath, at whose house Mrs. Campbell's letters were left (as the deponent understood at Richmond) under cover for the said Mr. Wade, and to get back her letters; and that the expression, "If the man was to scruple to deliver the letters, take the old man with you," meant and intended, that in case Mr. Johnson should refuse to deliver the said letters, Mrs. Bagshaw should apply to an old servant of Mr. Wade's, (one Fontenelle, whom the deponent knew at Bath) to accompany her to Mr. Johnson, the said Fontenelle having been employed, as the deponent believes, by the said Mr. Wade, to fetch the said Mrs. Campbell's letters from Mr. Johnson's, that were intended for Mr. Wade, for the said Fontenelle,

tenielle and Mrs. Bagshaw were very intimately acquainted at Bath; and she and Mrs. Campbell recommended him to Mr. Wade's service.

She lastly deposes and says, that she knows not, nor hath any reason to believe, that Mr. Campbell hath ever lived or cohabited with Mrs. Campbell; since she left Bathford, aforesaid, and the deponent verily believes he was entirely ignorant of any connection, or criminal correspondence, his wife carried on with Mr. Wade, aforesaid, till some time in June or July last, when the deponent understood Mrs. Campbell's letters to Mr. Wade were intercepted, and sent to him the said Mr. Campbell, at Bangeston, in Pembrokeshire, aforesaid, and further she cannot depose.

MARIA SHYRME.

*30th December, 1777.**The Deposition of the Right Honourable
Anne Lady Fortescue.*

The Right Hon. ANNE Lady FORTESCUE, wife of the Right Honourable Matthew Lord Fortescue, of Castle Hill, in the county of Devon, aged forty-seven years, deposeth and saith, that she is own sister to John Hooke Campbell, Esq. Lord Lyon King at Arms for the kingdom of Scotland, the producent in this cause; and very well knows Elizabeth Eustatia Campbell, his wife; and she further saith, that she well knows that the said parties were, on or about the thirty-first of August, 1762, lawfully joined together in holy matrimony, in the parish-church of Atherington, in the county of Devon, by the Rev. Mr. Marshall; and the deponent saw the said parties so married, and Lord Fortescue was also present at the said marriage: and Mrs. Campbell's uncle, Peregrine Courtney, Esq. and her brother
Francis

Francis Bassett, Esq. were also present at the said marriage: that, after the said marriage, the said parties lived and cohabited together, as lawful husband and wife, and they lived at the seat of Mr. Campbell, at Bangeston, in Pembroke-shire; and have, ever since their said marriage, acknowledged each other as lawful husband and wife: that, to the very best of the deponent's knowledge and belief, Mr. Campbell treated his wife with the greatest tenderness and affection: that the said parties had five children, the issue of their marriage, who were born at Bangeston, and are now living; their names are, Matthew, Henrietta, Eustatia, Charlotte, and Louisa.

ANNE FORTESCUE.

The

*30th December, 1777:**The Deposition of the Right Honourable
Matthew Lord Fortescue.*

The Right Hon. MATTHEW Lord FORTESCUE, of Castle Hill, in the county of Devon, aged fifty-eight years, saith, that about the end of the summer, or beginning of the autumn, of the year 1762; and, as the deponent believes, on or about the thirty-first of August, 1762, he was present in the parish-church of Atherington, in the county of Devon, at the marriage of the parties in this cause, John Hooke Campbell, Esq. and Elizabeth Eustatia Campbell; that they were then both of age: that Lord Lyon was a bachelor, and Miss Bassett was a spinster: he further saith, that the said parties afterwards lived and cohabited together as lawful husband and wife, and had issue of their said marriage five children; and the deponent was godfather to the son, whose christian-name is Matthew: the deponent
also

also saith, that he always looked upon the said Lord Lyon to be a very good husband, and his said wife, a very affectionate one: he also says, that after the said marriage of the said parties in this cause, the deponent's wife, Lady Fortescue, and Mrs. Campbell, corresponded for some time; and the deponent now viewing the letters or exhibits, marked B and C, saith, that from the simularity of hand-writing between those letters, and the letters sent by Mrs. Campbell to Lady Fortescue, he doth believe the whole contents of the said letters or exhibits, and superscriptions thereon, to be of the proper hand-writing of Mrs. Campbell: he further deposes, that it is now seven years at least, since Lady Fortescue corresponded with the said Mrs. Campbell.

F O R T E S C U E.

The

*24th January, 1778.**The Deposition of William Crealock.*

WILLIAM CREALOCK, the younger, of Great Torrington, in the county of Devon, gentleman, aged twenty-four years, saith, that, to the very best of his knowledge and belief, the exhibit A, is a true copy of the entry of the marriage of John Campbell Hooke, Esq. and Miss Elizabeth Eustatia Bassett, and that the same hath been faithfully extracted from the register-book of marriages, solemnized in the parish-church of Atherington, for the year of our Lord 1762, by reason that this deponent did, on or about the eleventh instant, carefully inspect and peruse the said original entry in the aforesaid register-book, which book was then produced in Atherington, to the deponent, by the Reverend Mr. William Cooke, the curate of the parish of Atherington; and the deponent then having a copy of the said original entry, faithfully collated the same therewith; and saith, that, having

now carefully compared the same with the said exhibit, finds the same to agree, save that, instead of the word *by*, between the word *solemnized*, and *us*, in the said exhibit, the word *between*, is wrote in the aforefaid original entry, and in the copy the deponent examined or collated, as aforefaid.

WILLIAM CREALOCK, JUN.

S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, a definitive sentence, or decree, was promulged to the following effect, viz. that Elizabeth Eustatia Campbell, after the solemnization and consummation of the marriage, being altogether unmindful of her conjugal vow, &c. did, in the years and months libellate, commit the foul crime of adultery with William Wade, Esq. and did thereby violate her conjugal duty, &c. it is therefore pronounced and decreed, that the said John Hooke Campbell, Esq. shall be divorced from bed, board, and mutual cohabitation with the said Elizabeth Eustatia Campbell, his wife, on account of adultery, &c.

The MARQUIS of CARMARTHEN,

AGAINST

The MARCHIONESS of CARMARTHEN.

LIBEL given in the 26th of *January*,
1779.

THE libel sets forth that in the year 1773, the Right Honourable Francis Osborne, now Baron Osborne, of Kiveton, commonly called Marquis of Carmarthen, being a batchelor of the age of twenty-two years, made his addressees and courtship in the way of marriage to the Right Hon. Lady Amelia D'Arcy, daughter of the Right Honourable Robert Earl of Holderness, then a spinster of the age of nineteen years and upwards; and the said Lady Amelia D'Arcy, with the approbation of her said father, received and entertained him as a suitor to her in the way of marriage:

2 *The Marquis of Carmarthen, against*

riage: that, on the twenty-ninth of November, 1773, the said Francis Osborne, now Baron Osborne, &c. and Lady Amelia D'Arcy, now Baroness Conyers, commonly called Marchioness of Carmarthen, were, by virtue of a special licence, lawfully joined together in holy matrimony, by the Reverend Charles Cooper, Doctor in Divinity, in the presence of divers of the family and relations of the said Amelia D'Arcy, in the dwelling house of Robert Earl of Holderness, situate in Hertford Street, in the parish of St. George, Hanover Square: that the said Marquis and Marchioness of Carmarthen afterwards lived and cohabited together at bed and board, as lawful husband and wife, and consummated their marriage by carnal copulation and procreation of children, at Sion Hill, in the parish of Isleworth; St. James's Place, in the parish of St. James, Westminster; and Grosvenor Square, in the parish of St. George, Hanover Square: that on the twenty-first of July, 1775, the said Marchioness of Carmarthen was delivered of a son, begotten on her body by
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the Marquis of Carmarthen, her husband, which son was baptized by the name of George William Frederic, and is now living; that, on the sixth of September, 1776, she was delivered of a daughter, who was afterwards baptized by the name of Mary Henrietta Juliana, and is now living; and on the eighteenth of October, 1777, she was delivered of a son, who was baptized by the name of Francis Godolphin, and is also living; that the Marchioness of Carmarthen, in the latter end of October, or beginning of November, 1778, got acquainted with John Byron, Esq. then an officer in his Majesty's second regiment of foot guards, who was at that time a perfect stranger to the Marquis of Carmarthen; and the said John Byron came several times, in or about the beginning of November, to the house of the Marquis of Carmarthen, in Grosvenor Square, and was admitted and let into the said house privately, and unknown to the Marquis of Carmarthen, by the order and direction of the Marchioness of Carmarthen; and the said Marchioness of Carmarthen, and John Byron,

4 *The Marquis of Carmarthen, against*

Byron, Esq. from the time of their first acquaintance, as aforesaid, until Sunday, the thirteenth of December, 1778, (the day on which the Marchioness of Carmarthen eloped from her house with Mr. Byron) carried on a criminal and adulterous conversation together, and had the carnal knowledge of each other, and committed the foul crime of adultery: the party proponent therefore prays, &c.

4th February, 1779.

The Deposition of Sarah Harrison.

SARAH HARRISON, spinster, aged thirty-seven years and upwards, (housekeeper to the Right Honourable Francis Osborne, commonly called Marquis of Carmarthen) a witness produced and sworn, deposes and says, that she well knows the said Marquis of Carmarthen, (the producent in this cause) and the Right Hon. Lady Amelia, Baroness Conyers, commonly called Marchioness of Carmarthen, his wife; and, on the twenty-sixth of February,

February, 1774, the deponent went to live as house-maid to the said Marquis and Marchioness of Carmarthen, and hath ever since been in the said Marquis of Carmarthen's service, and still continues so to be: that the said parties had been married, as the deponent understood and believes, about three months before her going to live with them: that, when the deponent went into the said service, the Marquis and Marchioness of Carmarthen lived in St. James's Place, but for about three years last past they have lived in Grosvenor Square, and have always cohabited together as lawful husband and wife.

The deponent further saith, that, during the time of her living in the service of the said parties, the Marchioness of Carmarthen was delivered of three children, who were all born in Grosvenor Square, aforesaid; and the deponent attended her ladyship at the respective births of the said children: that the first was a boy, named George Frederic William, who was born on the twenty-first of July, 1775; and their Majesties (by proxy) and the Duke of

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Leeds

6 *The Marquis of Carmarthen, against*

Leeds were the sponfers: that the second was a girl, named Mary Henrietta Juliana, who was two years old the fixth of last September; and the third was a boy, named Francis Godolphin, who was a twelve-month old on the eighteenth of last October; and they are all three now living, and are at Lady Holdernes's.

She further depofes and fays, that ſhe well knows John Byron, Eſq. and the firſt time ſhe ever ſaw him (to her knowledge) was about nine o'clock on Saturday morning, the fourteenth of November laſt, as herein-after particularly ſet forth: ſhe further ſaith, that on Friday morning, the thirteenth of November aforeſaid, the Marquis of Carmarthen ſet off from his houſe in Groſvenor Square, for Bath, to ſee his father the Duke of Leeds, who was at Bath, and then very ill, as the deponent underſtood: that the Marquis returned home from Bath on the Thursday or Friday following, but which of the ſaid days, ſhe cannot now recollect; but well remembers he was abſent from home about ſeven or eight days: that the Marchionefs
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of Carmarthen did not go with the Marquis, but remained at home in Grosvenor Square, during his absence.

The deponent further saith, that, on the aforesaid Saturday morning (being the day after the Marquis of Carmarthen had set off for Bath) she went into a room, called "My lady's powdering-room," about nine o'clock, to put such room in order, as usual, for her ladyship; that the said room joined the Marchioness of Carmarthen's bed-chamber, and had only one door in it, which opened on the landing-place, on the top of the two pair of stairs, from the hall: that while the deponent was in the said powdering-room, putting it in order, William Rose (second footman to the Marchioness) came up stairs with her ladyship's riding-habit, which he had been brushing, and brought it into the said powdering-room: that the deponent was then standing near the said room-door, which was at such time open, and thereby she had a full sight of her ladyship's bed-chamber door: that William Rose laid the riding-habit down, and asked the deponent

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if she was coming to breakfast; and just at that time, the deponent heard her ladyship's bed-chamber door open, and imagining her lady was stirring, bade the footman go out of the room immediately; and he accordingly went; but, just at that instant, the deponent saw the said bed-chamber-door open, and a gentleman peeping out; and on his looking round, he saw the deponent, and the said William Rose, and immediately drew back and shut the door: that the deponent cried out directly, and said, *Good God! there is a man's head!* That the deponent was then quite scared, and terrified; that the said William Rose then went down stairs, and just as he had passed the said bed-chamber-door, the said door was again opened, and a gentleman came out of the said bed-chamber, and went down stairs immediately: that the deponent saw the said gentleman very plainly, and is positive it was not the Marquis of Carmarthen: that such gentleman appeared to be about twenty-three years of age, as she thinks (for he was quite a young man) and he had his hat on
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when he first peeped, and also when he went down stairs, as aforesaid; and he either whistled or sung as he was going down the stairs, but the deponent was then so much surprized, that she cannot be more particular as to what passed on the said Saturday morning: that the deponent went down soon after the said gentleman was gone; for, on his coming down stairs, the said William Rose opened the street-door and let him out, as the said William Rose informed the deponent, and which she firmly believes to be true: that the deponent, having breakfasted, went up stairs again into the powdering-room, and there waited for her lady's getting up; and, about ten o'clock the said morning, her ladyship came into the said room in a long morning-gown, as usual; and the deponent saw her come out of her said bed-chamber, through the very same door that the said gentleman had passed through: that the deponent then attended her ladyship as usual, in the said room; and about noon, on the said day, the deponent and Jane Totty (the second house-maid) made

her said ladyship's bed ; and the deponent (who had taken the bed-cloaths off before she called Jane Totty) observed such bed-cloaths to be very much tumbled, and that they appeared as if a man and woman had lain therein the preceding night ; and the deponent thinks the bed could not have been well more tumbled : that the deponent, from the aforesaid circumstances, doth firmly and in her conscience verily believe the said gentleman (whose name she did not then know, but whom she found afterwards to be John Byron, Esq.) and the said Marchioness of Carmarthen had lain together in the said bed the preceding evening, and had then and there had the carnal use and knowledge of each other's bodies, and committed the crime of adultery together, unknown to the said Marquis of Carmarthen : she further saith, that she well knows the said lady had lain the preceding night in the aforesaid bed, because she attended her in the evening in the said bed-chamber to undress, and saw her in the bed.

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She also deposes and says, that in the evening of the said Saturday, the deponent went into the Marchioness's bed-chamber for a towel; that it was then between nine and ten, or full ten o'clock, as she thinks; and she had, about an hour before, turned down her ladyship's bed, and had drawn the curtains, except a little on her lady's side of the bed; that, as she passed by the said side of the bed to go for the towel, she perceived something lying in the bed, with a pillow as if to cover the head and face (for it appeared like a person in bed) that she then came out of the room, and went down stairs, and staid a little, and made her lady's toast and water, and took it up stairs, as was usual for her to do, into her ladyship's bed-chamber; and, as she put the toast and water on a night-table near the bed-side, she heard somebody snore, and she undrew a little of the curtain on her ladyship's side of the bed, and, with a candle in her hand, she plainly saw a gentleman fast asleep; and she looked at his face, and he had a white handkerchief about his head; and she is certain it was
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the said Mr. Byron: that, having seen him as aforesaid, she came out of the said bed-chamber, and the Marchioness of Carmarthen was coming up stairs; and her ladyship spoke to the deponent and bade her make haste and come and undress her, for that she was very sleepy: that the deponent did not then go down stairs, but followed her ladyship into the powdering-room, and undressed her; and took up the candle, as usual, to light her ladyship to bed, and carried it to her own chamber-door; when she took it out of the deponent's hand, and said she would put herself to bed; and her ladyship then opened the door and went into her said bed-chamber, and shut the door; and the deponent heard it immediately bolted, which she had never known done before: that the deponent asked her ladyship, just on her going into her chamber, what time she would please to be called in the morning; and she said at half an hour after ten o'clock: that accordingly the next morning (to wit Sunday the fifteenth of November last) the deponent went, as ordered, to call her said lady,

lady, and found her said bed-chamber-door bolted (for it was not locked, there being no key-hole to the inside of the door) and the deponent then tapped at the door, and her ladyship asked who was there? And the deponent said, it was half after ten, and her ladyship then said, "Very well." That the deponent was at the door some little time, and was in and out of the powdering-room frequently; for she waited on purpose to see the said gentleman come out of her ladyship's bed-chamber; and her ladyship's woman, Rose Lador, and the said Jane Totty were also in waiting, out of curiosity, near the said chamber-door, for the like purpose: that while the deponent was so at the door, and in the powdering-room, she plainly heard the voice of a man in bed with her ladyship, but she could not distinguish any thing that was said; but her lady and the gentleman laughed a good deal; and it appeared to the deponent as if they were very merry: that about two o'clock on the said Sunday afternoon (but not sooner) the said gentleman came out of Lady Carmarthen's bed-

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chamber, and went down stairs; and the deponent was then at the top of the landing-place, and saw him come out of the said bed-chamber and walk down stairs; and also saw him go into the room called the blue breakfasting-room, and he was dressed in scarlet, and had his hat on, with a cockade in it: that, in about half an hour afterwards, Lady Carmarthen came out of her bed-chamber, into the powdering-room, where the deponent then was; and the deponent dressed her in a brown riding-habit, and her ladyship then went down into the blue breakfasting room, and the deponent went and made her ladyship's bed; that Jenny Totty came soon afterwards to assist the deponent; that the bed was then well tumbled, and the deponent observed marks or stains on the sheets; and there was every appearance of a man and woman having lain together, and been connected with each other that night in the said bed; and the deponent doth firmly believe, the said John Byron, Esq. and the said Marchioness of Carmarthen had lain together in the said bed, the preceding night

night and that morning, and had then and there the carnal use and knowledge of each other's bodies, and committed adultery together.

The deponent further saith, that between three and four o'clock on the said Sunday afternoon, the Marchioness of Carmarthen then sent for the deponent to come to her in the blue breakfasting-room, where her ladyship then was alone, walking up and down the room: that, on the deponent coming into the room, her ladyship said to her, *Sally, I understand you know of this affair, and if it is told to Lord Carmarthen, I shall be a ruined undone woman*: that her ladyship then went on, and asked the deponent if she thought any of the rest of the servants knew it? and the deponent told her ladyship, she believed that almost all of them did: that her ladyship then cried very much, and said further to the deponent, *Sally, Will you go down stairs and tell them (meaning the servants) not to mention what has happened, and I will take care that it shall never happen again*: and she begged of the deponent not to speak of

it; and the deponent told her ladyship, she would not speak of it unless she was asked, and that then she should speak the truth; and also told her, that she the deponent was afraid (if it should be known) that her ladyship was really a ruined undone woman; or the said Marchioness of Carmarthen and the deponent expressed themselves in words to that effect: the deponent also saith, that from the aforesaid conversation, she fully understood her ladyship alluded solely to the aforesaid Mr. Byron's having slept with her, and been seen coming out of her chamber, in the manner before set forth: that the deponent accordingly told the servants as she was directed; that she did not see her ladyship again till the evening about twelve o'clock, when she undressed her ladyship in the powdering-room, as usual; and then attended her and saw her into bed: that when the deponent was so undressing her ladyship, she asked the deponent if she had told the servants what she bid her, and what they had said? And the deponent told her ladyship she had told them, and that they said they would
not

not speak of it: that Lady Carmarthen then also appeared to be very sorry for what had passed.

She further deposes and says, that the Marquis of Carmarthen returned home to his house in Grosvenor Square, from Bath, on the Thursday or Friday following the said Sunday, and staid at home about a fortnight; but was quite ignorant, as the deponent believes, of what had passed in his absence between Lady Carmarthen and Mr. Byron; and the deponent never heard that the Marquis was at all acquainted with Mr. Byron: that, after the Marquis had been in town about a fortnight, he set off for Yorkshire, and was absent above a fortnight; that the Marchioness did not go with his lordship, but remained in Grosvenor Square, except that her ladyship slept two nights at Sion Hill: and she further saith, that one day, about a week after the Marquis of Carmarthen had set off for Yorkshire, the deponent observed, on making Lady Carmarthen's bed, that such bed was much tumbled, and appeared just in the situation as the deponent had found

found it, on the day after she knew her ladyship and Mr. Byron had slept in it as aforesaid (to wit on Saturday night the fourteenth of November) and the deponent found a high candlestick on the night-table, on the Marquis's side of the bed: that, from the aforesaid circumstances, the deponent suspected that Mr. Byron had been there again; but at that time she did not herself see him, but understood from the servants who waited at table, that Mr. Byron frequently dined with her ladyship alone: she further saith, that the Marquis returned from Yorkshire on a Saturday, as the deponent understood, though he did not come home to Grosvenor Square, but went to Hampstead to lodgings that had been taken for him there: that, on the Monday before the said Saturday, the deponent found (for the second if not for the third time) the bed tumbled, and the high candlestick in the manner before-mentioned; that on the next night (Tuesday) the deponent had the curiosity, after she had put her ladyship into bed, to watch on the garret stairs (from whence she could see

see the said bed-chamber-door) in order to see Mr. Byron (who was sometimes called Captain Byron) go into the said chamber: that, after her ladyship had been in bed about half an hour (and it was then after one o'clock in the morning) the deponent from the lamps upon the stairs, saw Mr. Byron come out of the blue breakfasting-room, and come up the stairs, and open Lady Carmarthen's bed-chamber-door, and go into the said room, and heard the door bolted as soon as he had got in: and she also heard (for every thing in the house was very quiet at that time) the bed-curtain undrawn, and then the deponent went to bed: that Mr. Byron was then in mourning, and had his hat on, with a cockade in it, but he had then no candle in his hand, nor had the deponent any candle, for the said lamps were sufficient to see all over the stairs; and the deponent went to bed, after she had seen Mr. Byron go into the said bed-chamber: she further saith, that she saw nothing of Mr. Byron the next morning; that, on the deponent making the Marchioness of Carmarthen's

marthen's bed the next morning, she found it very much tumbled, and there was the appearance of two persons having lain therein together; and the deponent doth verily believe, that the Marchioness of Carmarthen and Mr. Byron had, the preceding night, slept in the said bed together, and committed the crime of adultery together: she further saith, that she doth not recollect the day of the month when the same happened, but knows it was in the fore-part of the month of December last; but she also saith, that she well knows the times she first saw Mr. Byron come out of Lady Carmarthen's bed-chamber, to have been on the fourteenth and fifteenth days of November last, because she, of her own accord, set it down in a little almanack at the times the same happened.

She further deposes and says, that on the day after the said Tuesday (when she saw Mr. Byron go into the bed-chamber about one o'clock as aforesaid) she put her ladyship to bed in the evening between twelve and one, or near one o'clock; and set her cloaths ready in the adjoining room for the
next

next morning; and then the deponent went up the garret stairs; and, thinking she heard the Blue room door open, she stopped a little, and came down the stairs again, and met Mr. Byron on the landing-place, close to her ladyship's bed-chamber-door, and she passed him and went down stairs; but stopped after she had passed Mr. Byron, and looked back and saw him go into her ladyship's bed-chamber, and heard the door bolted directly: that, as the deponent passed Mr. Byron, she could not help looking him in the face, and she said, pretty loudly, *My God!* but he took no notice; and seemed to be perfectly easy, as if he had been master of the house: that Mr. Byron had then no candle, nor the deponent neither; but she saw him very plainly from the stair-case lamps: that Mr. Byron was in mourning, and had his hat (and cockade in it) on: that on the next day, (Thursday) the deponent, with the aforesaid Jane Tottie, made her ladyship's bed, which appeared to have had two persons therein the preceding night, and was tumbled as it before had been;

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and the deponent doth verily believe, that the Marchioness of Carmarthen and Mr. Byron had, the said preceding night, lain together in the said bed, and committed adultery together : and she also saith, that in the evening of the said Thursday, the deponent put her ladyship to bed, as usual, and having so done, she went into Mademoiselle Rose Lador's (Lady Carmarthen's woman's) room : that Rose Lador was then ill, (though getting better) of the yellow-jaundice, which was the occasion of the deponent's being so immediately about her ladyship's person : that the deponent then told the said Rose Lador that she would meet Mr. Byron, (for she knew that he had that evening supped with her ladyship ;) that just at this time, the deponent hearing the Blue room door open, left the said Rose Lador's room, which is on the same floor as her ladyship's, and then met Mr. Byron with an high candlestick in his hand, just come to the top of the stairs to her ladyship's chamber, and passed him, and looked back, and saw him go into the said bed-chamber, and heard

the door bolted; and then the deponent went into the said Blue room, where William Shadbolt, (her ladyship's first footman) was taking away the things left after supper, and told him she had met Mr. Byron going up stairs as aforesaid: that the deponent, on the next day, (Friday) made her ladyship's bed, and found it tumbled, and to have the same appearance as usual, when she had seen Mr. Byron go into her ladyship's room: and therefore doth verily believe, that the Marchioness of Carmarthen, and Mr. Byron, had lain together in the said bed the preceding evening, and had committed adultery together: the deponent further saith, that she never saw the said Mr. Byron after the said Thursday evening, except that she hath passed him in the street: she also saith, that Lady Carmarthen did not sleep at home on the said Friday evening, for she went out about eleven o'clock in the evening, and did not return home till about two o'clock the next day; and the said Rose Lador went with her ladyship, and

said, they were to sleep at the Sardinian Ambassador's, in Lincoln's-Inn Fields.

She also deposes and says, that during the time the Marquis of Carmarthen was in Yorkshire, as aforesaid, the Marchioness frequently gave this deponent letters to give to a servant to be sent away by the chairman; and all the letters (except two or three) were directed to *John Byron, Esq. Pall-Mall*; except the last, which was directed to *John Byron, Esq. Bolton Street*; and which her ladyship gave the deponent on the Sunday morning, immediately following the Friday her ladyship slept out, as aforesaid; but the deponent forgot to send away the said letter, till after her ladyship left her own house entirely, which was on the said Sunday in the evening; and then the deponent, hearing her ladyship was gone to Bolton Street, sent the letter there, with some other letters for her ladyship.

She further deposes and says, that the Marquis of Carmarthen came to his house in Grosvenor Square, on the said Sunday about noon; and the said Lady Carmarthen's

then's conduct, with respect to Mr. Byron, was then pretty publickly known, as the deponent believes; and his lordship was greatly affected at that time; and the deponent and the other servants were then called in, to give an account of what they knew of the matter; and the deponent mentioned the principal part of what is herein before set forth: and the deponent further saith, that she hath never seen Lady Carmarthen (to her knowledge) since the said Sunday, and doth verily believe, that the said Marquis hath never lived or cohabited with his said lady, since her leaving his lordship's house, as aforesaid.

SARAH HARRISON.

5th February, 1779.

The Deposition of Jane Tottie.

JANE TOTTIE, spinster, aged eighteen years (second house-maid to the Marquis of Carmarthen) a witness produced and sworn, deposes and says, that on the nineteenth of May last, she went to live

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as nursery-maid in the family of the Marquis and Marchioness of Carmarthen, at their house in Grosvenor Square, and hath been in the said Marquis's service ever since, and now is second house-maid in the said house: she further saith, that one Saturday evening, in the month of November last, as she believes the time to have been, the deponent went with Rose Lador (Lady Carmarthen's woman) into her ladyship's bed-chamber, to carry a riding-habit; that it was then between ten and eleven o'clock, as near as she can guess the time; that the deponent stood near the door within the chamber, while Rose Lador laid down the riding-habit; and, as she stood, she could see into the bed, through the curtains, which were a good piece open on one side of the bed, and thought she saw somebody lying in the bed, with a pillow over the face: that Rose Lador spoke, and said at that time in French (for she told the deponent the words in English, on the deponent's asking her, on coming out of the room) " My Lady, are you sick, or what is the
" matter ?"

“ matter ?” That no answer was made : that the reason of her saying so, was, that the deponent and Rose Lador had, about a quarter of an hour before they went into the said chamber, heard from Rose Lador’s room (where they then were, and which is on the same floor as her ladyship’s chamber) her ladyship and some person come up stairs together, and go into her ladyship’s bed-chamber ; and that they also presently heard her ladyship go down stairs ; and shortly afterwards they thought (without having observed her ladyship come up again) that they heard somebody getting into her ladyship’s bed ; and they were then in a room called the powdering-room, adjoining to the said bed-chamber : the deponent further saith, that on the next day, (Sunday) the deponent and Rose Lador, and Sarah Harrison were upon the watch, as they expected to see Mr. Byron come out of her ladyship’s bed-chamber ; and accordingly, about two o’clock on the said Sunday afternoon, as the deponent was standing on the garret landing-place (from whence she plainly saw Lady Carmarthen’s door)

door) she saw Mr. Byron come out of Lady Carmarthen's bed-chamber; and he had a scarlet coat, and a plain hat, (with a cockade in it) on; and he went down stairs into a room called the Blue breakfasting-room; and Rose Lador and Sarah Harrison saw him at the same time as the deponent did, for they were standing with her on the landing-place: that the deponent did not see Mr. Byron any more on the said Sunday, but saw him several times afterwards, when the Marquis of Carmarthen was absent from home at Bath; and also not long afterwards, when his lordship was in Yorkshire: that the deponent hath at such times, seen Mr. Byron coming up the back stairs from the hall, and believes he went into the said Blue breakfasting-room; for she hath seen him come about the time that her ladyship hath been at breakfast, and also about dinner time; and, the house being then repairing, Lady Carmarthen sat chiefly in the said Blue room: the deponent further saith, that on the said Sunday afternoon, the deponent assisted Sarah Harrison (who was lady's house-

maid) to make her ladyship's bed, about a quarter of an hour after Mr. Byron had come out of the said bed-chamber; for about that time Lady Carmarthen had also come out of the said chamber: that the deponent on Sunday afternoon (but which was not usual afterwards) went into the said bed-chamber, and, together with Sarah Harrison, pulled the bed cloaths off her ladyship's bed, and the deponent observed that such bed was very much tumbled, and that there were marks or stains on the sheets, as if a man and woman had lain therein, and been connected like husband and wife; and, from the said circumstances, the deponent is well convinced in her own mind, that Mr. Byron and the Marchioness of Carmarthen had lain together in the said bed the preceding night, and had committed adultery together: she further saith, that she frequently afterwards assisted Sarah Harrison to make her said lady's bed; but Sarah Harrison, from the said Sunday, always took off the bed cloaths before she called the deponent to make the said bed: the deponent also saith,

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that

that on the Sunday afternoon about dusk, after the said bed had been made, Sarah Harrison told the deponent that her ladyship had sent for her (Mrs. Harrison) and had desired that she would tell the servants, that she begged they would not mention what they had seen ; and had also said, that she never would do any thing of the kind again : that such message had reference solely, as the deponent understood and verily believes, to the said Mr. Byron's having been seen coming out of her ladyship's bed-chamber.

She also deposes and says, that one Sunday in the afternoon, and, as the deponent best recollects the time, about a month after she had seen Mr. Byron come out of Lady Carmarthen's bed-chamber, her ladyship left her house in Grosvenor Square, and the deponent hath never seen her since ; and she verily believes the Marquis or Carmarthen hath never, since the said Sunday, lived or cohabited with her said ladyship in any respect whatever : she also saith, that she never saw the said Mr.

Byron

Byron at the house, when the Marquis of Carmarthen was at home.

JANE TOTTIE.

6th February, 1779.

The Deposition of Caleb Greville.

CALEB GREVILLE, of Maddox Street, in the parish of St. George, Hanover Square, in the county of Middlesex, and deputy parish clerk of the said parish, aged forty years, a witness produced and sworn; to the paper-writing or exhibit, marked with the letter A, now shewn to him, he saith, that he well knows the same to be a true copy of the entry of the marriage of the Right Honourable Francis Osborne, now Baron Osborne of Kiveton, commonly called Marquis of Carmarthen, and the Right Honourable Lady Amelia D'Arcy, now Baroness Conyers, commonly called Marchioness of Carmarthen; and that the same hath been faithfully extracted from the register-book

of marriages solemnized in the parish of St. George, Hanover Square, in 1773, and carefully collated with its original now remaining therein, and agrees therewith: and he further saith, that he very well remembers the said marriage of the said parties, for he was present thereat, and attended on the occasion as deputy parish clerk: he further saith, that he wrote the original entry of the said marriage, which was signed by the parties, as expressed in the copy; and he also saith, that he well remembers that his Grace the Duke of Leeds, and the Earl of Holderness, were both present at the said marriage, which was solemnized in the dwelling house of the said Earl of Holderness, in Hertford Street: he also deposes and says, that he attended at the baptizing of three children (as the deponent best recollects) the issue of the said marriage, but he doth not remember the times of such baptizing; but only recollects that the said children were baptized at the said Marquis of Carmarthen's house, in Grosvenor Square, and that this deponent attended on the said occasion,

occasion, in his capacity of deputy clerk of the said parish, and made entries of the said baptisms in his day-book.

CALEB GREVILLE.

5th February, 1779.

The Deposition of William Shadbolt.

WILLIAM SHADBOLT, aged twenty-six years and upwards, footman to the Marquis of Carmarthen, the producent in this cause, a witness produced and sworn, deposes and says, that he well knows the Marquis and Marchioness of Carmarthen, the parties in this cause, and on or about the twenty-seventh or twenty-eighth of November, 1773, the deponent went to live at the said Marquis of Carmarthen's house, in St. James's Place; that the said parties were married within a day or two after the deponent so went to live there; and then the deponent was second footman and under-butler to the said Marchioness of Carmarthen, and afterwards was her ladyship's

ladyship's own footman : that from St. James's Place, where they the said parties staid about eleven months, they removed to Grosvenor Square, where they continued till her ladyship left the said house, as hereafter mentioned : that her said ladyship had three children, all born in Grosvenor Square, and they are all living ; and the first is a boy called after his Majesty (who was by proxy one of his godfathers) George Frederick William ; and the second, a girl, called or baptized by the name of Mary Henrietta Juliana, as the deponent best recollects ; and the third was a boy, baptized by the names of Francis Godolphin ; that the said parties in this cause always were looked upon as lawful husband and wife, and as such behaved to each other ; and the deponent always thought the behaviour of his lordship to his said lady, was very kind and affectionate ; and the deponent hath been in his service ever since the said marriage to the present time : he further saith, that before he went to live with the said Marquis of Carmarthen

Carmarthen, he lived with his lordship's father, the Duke of Leeds.

He also deposes and says, that on Friday the thirteenth of November last, as he best recollects and believes the time to have been, the Marquis of Carmarthen set off in the forenoon for Bath, where the deponent understood his Grace the Duke of Leeds was at that time indisposed; that the Marchioness did not go with my Lord to Bath, but remained at home in Grosvenor Square, during his lordship's absence, which was about five or six days or more: and the deponent further saith, that on the Wednesday (next preceding the said Friday) the Marquis and Marchioness went together, in the same carriage, to dinner at Lord Barrington's, and the deponent and his lordship's footman (John Cooper) were ordered to be at Lord Barrington's, in Cavendish Square, with the carriage, at seven o'clock; and a few minutes before nine her ladyship called up the coach, and went home alone in it: that, when her ladyship got out, she ordered the carriage to return back immediately to Lord Barrington's

ton's, for his lordship (the Marquis) and said she should not want it till twelve o'clock the next day: that her ladyship then went up stairs and ordered Rose Lador (her woman) to come and undress her, and when she had taken off her ladyship's full dress, she, the said Rose Lador, came down, and in the deponent's hearing, told Christopher Hodgkinson, the porter, that if any body came, he was to be let in: that, within half an hour, or less, there was a double knock at the house door, and the porter opened the door; and the deponent being in the porter's hall at the time, heard a gentleman ask if Lady Carmarthen was at home, and on the porter's saying, yes; the gentleman said, "I have a letter for her ladyship from Miss Harland:" that the deponent then went up to the gentleman and asked his name; and he said, "My name is Byron;" That the deponent then shewed the said gentleman up stairs to the room called the Blue room, up one pair of stairs, where Lady Carmarthen was then sitting alone: that, on the deponent shewing the said gentleman
into

into such room, he the deponent said, " Mr. Byron, my lady," and her ladyship said, " Very well ;" and then the said gentleman said, immediately, (before the deponent had left the room) " I have a letter " to your ladyship from Miss Harland ;" that, within less than a quarter of an hour afterwards, her ladyship rung the bell, and he the deponent went up stairs ; and she then ordered the deponent to carry candles up stairs into her powdering-room, which the deponent accordingly did, and before he had left the said powdering-room, her ladyship and the said Mr. Byron came together into the said room, and her ladyship ordered tea ; which the deponent carried up in the said room : and when he carried up the tea, her ladyship and Mr. Byron were sitting near the fire, each of them in a chair : that, presently after the deponent had carried up the tea, there was a rap at the house-door, and the Marquis of Carmarthen then alighted from out the carriage, and said, as he walked towards the Blue parlour, on the ground-floor, " Let my lady know the carriage is at the

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" door :"

“ door :” that the deponent then informed his lordship that her ladyship had ordered the carriage for twelve the next day : that his lordship, repeated a second time, and said, “ Let her ladyship know the carriage “ is at the door” : that his lordship then took a candle and went up stairs into the Blue room (where Mr. Byron had been shewn into) and the deponent at the same time went up to the powdering-room, to let her ladyship know the carriage was at the door : that the deponent took hold of the nob of the lock of the door, in order to open it, and to have gone into the room, (as is customary for servants who are allowed to answer the bell, or to deliver a message) but found the door to be fastened : that her ladyship then asked, “ Who is “ there ?” and the deponent said, “ William, my lady ;” and her ladyship then said, “ What do you want ?” and the deponent replied, and said, “ My Lord desires I will let your ladyship know the “ carriage is at the door :” and her ladyship answered and said, “ Tell my lord I shan’t “ want the carriage till to-morrow at “ twelve

“ twelve o'clock :” that the deponent then went and delivered such message to his lordship, who presently afterwards went out, and about eleven o'clock he returned home, and the Reverend Mr. Jackson (as the deponent best recollects) an intimate acquaintance of his lordship's, came in with him ; and they supped with Lady Carmarthen in the Blue parlour on the ground-floor : that the deponent understood, that the said Mr. Byron went away before his lordship returned, and is not certain whether he did not see him go out.

And the deponent further saith, that the aforesaid powdering-room is up two pair of stairs, from the hall, and adjoined to her ladyship's bed-chamber, but had no door which opened into the said chamber ; for it had but one door, and that opened on the landing-place ; and there was a door of the said chamber which opened likewise to the landing-place : he further saith, that the next night (to wit Thursday) Lady Carmarthen was up stairs in the said powdering-room, between ten and

eleven o'clock, and his lordship and the said Reverend Mr. Jackson came home about eleven o'clock, and went into his lordship's library, a room backwards on the ground-floor; and presently afterwards, Lady Carmarthen came down stairs; and went into the said room to them; and, having staid there a few minutes, her ladyship returned up stairs, and directly afterwards Mr. Byron came down stairs; and the deponent saw him at that very time, and the said Mr. Byron then went out of the house.

He further deposes and says, that while his lordship was at Bath, aforesaid, the deponent and William Rose (also Lady Carmarthen's footman) waited, more than once or twice, on her ladyship and Mr. Byron, at supper, and they were alone together; and the first time was in the Blue parlour, on the ground-floor: and the deponent further saith, that about two o'clock in the morning of the first time of her ladyship's and Mr. Byron's so supping together, the said Blue parlour bell was rung, and the deponent answered it; and her

her ladyship was then alone in the room, and ordered him to take candles up stairs, as she was going to bed : that the deponent accordingly, as usual, carried a flat candlestick up stairs, and gave it to Sarah Harrison (who then attended on her ladyship, Rose Lador being at that time not well) and as soon as her ladyship was gone up stairs, the deponent and William Rose, took the things away out of the said Blue parlour, into the pantry ; and then went into the servants hall, and perceived a light in his lordship's powdering-room, opposite the servants hall ; and thereupon the deponent went directly into the pantry again, and told William Rose what he had seen, and that he was afraid there was a light left in his lordship's powdering-room, or a great fire ; and that he would go and see ; and the deponent accordingly went into such powdering-room (which is under his lordship's library) and there he saw Mr. Byron sitting in the window, with a book in his hand, and a candle by him ; and the deponent then came out again, and went directly to William Rose, and told him

him that Mr. Byron was in his lordship's powdering-room: that it was between two and three o'clock in the morning; that then the deponent and William Rose went into the porter's hall, and waited there, and in about half an hour they heard the Blue parlour door to open, and a man's foot go up stairs; which they were certain must be Mr. Byron's, for in order to come out of the said powdering-room, Mr. Byron must have gone through his lordship's library, and likewise the said Blue parlour; but how high up stairs he went, the deponent cannot of his own knowledge take upon himself to say: and the deponent further saith, that on the next night, as the deponent best recollects the time, (but he is not quite positive as to it being the very next night) he saw Mr. Byron about ten o'clock in the said Blue room, up one pair of stairs, alone with Lady Carmarthen; and the occasion of his seeing him at that time was, the deponent answering the said room bell, and receiving a letter from her ladyship, directed to *Madame de Courdon*, which she ordered the deponent

deponent to take himself to her, in Lincoln's Inn Fields: that, before the deponent went out of the house, the bell rung again, and William Rose answered it, and when he came down he had a note in his hand, directed, as the deponent saw, to Miss Jefferys, St. James's Palace, which he said he had been ordered to take himself: that the deponent and William Rose accordingly went with their respective notes; that his lordship was then at Bath; that when the deponent returned (which was in about an hour's time) he went up stairs to the Blue room to inform Lady Carmarthen thereof, and her ladyship was then alone, and the deponent saw nothing of Mr. Byron that night: that, as usual, the deponent lighted her ladyship up to bed, and on his coming down again, William Rose and the deponent, as usual, took away the things from the Blue room; when they both of them missed a candlestick, but they did not search for it, for as they had seen what had past, as before mentioned, they suspected Mr. Byron had got it: that the next day (to the best of

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his recollection as to the day) about two o'clock in the afternoon, the said Blue room bell up one pair of stairs rung, and the deponent answered it, and saw Mr. Byron in the said room alone; and he ordered the deponent to bring the water for breakfast, and chocolate for her ladyship, and the deponent did accordingly: that, after the deponent had carried up the breakfast, and her ladyship was come down to the Blue room, she said to the deponent, "William, Mr. Byron wants to speak to you in the next room:" meaning a room adjoining to the said Blue room, and which had been her ladyship's dressing-room, (but the house was then repairing;) that the deponent accordingly went into the said room, where Mr. Byron was alone, who expressed himself in words to this very effect, "William, What will be the end of this—Pray do any servants in the house know of my being here?" That the deponent's answer was to this effect—"Sir, every servant in the house, by what they have either heard or seen, as much as I do:" that Mr. Byron then seemed quite

quite confounded and surprized, and the deponent added, " Every servant in the
" house will be bound to curse the day;
" or hour, when you first came into the
" house:" That the then asked the deponent, if he thought it would be made known to my lord, and the deponent told him, Yes; and that he could expect no other: that Mr. Byron then said further,
" William, Lady Carmarthen desired me
" to ask you this favour, not to let it be
" known:" And the deponent said, he was very sorry that Lady Carmarthen then had put it in his power to hurt her; and that he would not do it, unless he was put on his oath or forced: that the deponent then left the said room, and went down into the porter's hall, and soon afterwards the bell rung; and the deponent went up and met Lady Carmarthen at the Blue room door, and her ladyship said to the deponent, " William, I beg of you (or will
" you promise me) not to make known
" Mr. Byron's being here:" And the deponent said, " I will promise your ladyship,
" unless I am forced to it (or put on my
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oath :) that her ladyship then said to the deponent, " All I ask of you is, not to
" make it known, unless Lord Carmarthen
" asks you any questions, and then tell
" him the truth ; but he will never ask
" you : " or Lady Carmarthen, and the deponent, expressed themselves in words to that effect : and the deponent further saith, that after his lordship came from Bath, he staid in town in Grosvenor Square some days, and then set out for Yorkshire : that, during his lordship's absence, Mr. Byron frequently dined alone with her ladyship, and drank tea, or coffee, and also supped alone with her, in general, in the Blue room up one pair of stairs : and the deponent hath several times (when Lady Carmarthen and Mr. Byron have been so alone together after dinner or tea) been up stairs to have delivered a message that may have come to the house, and several times found the said room door fastened ; particularly one night when a note come from Madam de Corden, by her servant, who waited for an answer ; and which note the deponent took up stairs, but finding

ing the door fastened he went down, and in about a quarter of an hour, or more, carried up the note again, and still found the door fastened; and he then knocked at it, and was asked by Lady Carmarthen, Who was there? and the deponent said, "William," and that he had a note from Madam de Cordon, and that the servant had waited for an answer, but could not wait any longer: that her ladyship did not open the door, but said, "Very well, I'll ring the bell for you directly;" and in a few minutes the bell did ring, and the deponent opened the door (it not being then fastened) and found her ladyship and Mr. Byron alone together in the said room; and the deponent having received his answer from her ladyship, delivered it accordingly: and the deponent further saith, that several times, during his lordship's absence from town, as aforesaid, after her ladyship had gone to bed, the deponent hath gone into the room where her ladyship and Mr. Byron have supped together; and Mr. Byron being then there alone, hath several times said to the deponent,

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"William,

“ William, I believe I shall stay here all night, and lye down upon the couch :” and the deponent hath left Mr. Byron in the said room, and hath several of the nights (after his saying those words) heard a man go up stairs : which, from the aforesaid circumstances, the deponent is well convinced could have been nobody but Mr. Byron.

He further deposes and says, that during the said absence of his lordship, the deponent carried several letters, directed to John Byron, Esq. Pall Mall ; that the greatest part of such letters were delivered to this deponent by Rose Lador, in privacy, for she hath called the deponent out of the porter’s hall, and servants hall, from the rest of the servants, and hath given him the said letters, as from Lady Carmarthen ; and her ladyship herself hath also given the deponent letters to take to Mr. Byron : and the deponent further saith, that one day, about noon, the deponent went, by Lady Carmarthen’s order, to Mr. Byron’s house in Pall Mall ; that his lordship was then in Yorkshire, as aforesaid,

aforesaid, or at least out of town; that her ladyship told the deponent, Mr. Byron wanted to speak to him: that Mr. Byron was dressing, but soon came to the deponent, and said to him, "William, what I want with you is this,—Will you let me in to night, or to-morrow night, when the rest of the servants are gone to bed:" that, just at that time, there being a rap at the street-door, Mr. Byron, who seemed to be in a hurry for the deponent's answer, said, in a quick manner, "Will you or will you not?" and the deponent inadvertently said, "I will," and then went away: that, the first opportunity the deponent had of speaking to Lady Carmarthen, he told her what had passed, and asked her if it was by her ladyship's desire that Mr. Byron had asked him that question (meaning about his letting him in at night;) that her ladyship said, "Yes, I do know something of it—It has been upon my mind ever since—I wish it had not been so," or she spoke to that very effect: and the deponent said to her ladyship, "I told Mr. Byron I would let
" him

“ him in, but I tell your ladyship, I will
“ not ; and if I had had time to have
“ thought, I should have told him the
“ same,” or he used words to that very
effect ; and added, that he could not think
of doing a thing of that consequence, for
that it could end (at that rate of going on)
in nothing less at last than a divorce ; and
that he should be very sorry, that any
person her ladyship might think of putting
the greatest trust in, should have it in his
power to be her greatest foe ; or words to
that effect ; and Lady Carmarthen said, she
wished the deponent could let Mr. Byron
know that he would not do it (meaning to
let him in ;) that the deponent did not go
to Mr. Byron, because he had been in-
formed by the servant that he was going
out of town ; and the deponent did not fit
up to let him in.

He further deposes, that his lordship was
out of town about a fortnight, or more,
after his setting out for Yorkshire, and
about the thirteenth of December last, he
returned to his house in Grosvenor Square ;
and Lady Carmarthen left the house before
his

his lordship came home, and went, as the deponent understood, to Hampstead, to meet his lordship; but before her return, the deponent and the rest of the servants had been examined, touching Lady Carmarthen's conduct with Mr. Byron, and his lordship seemed to be very much concerned on the occasion; and the deponent asked him if he might acquaint her ladyship, when she came back, with what had passed; and his lordship said he might; and then left the house; and, in less than an hour, her ladyship returned, and the deponent acquainted her that the servants had all been examined, as aforesaid; and her ladyship then said, "Then I can't think of staying here!" and she left the house, as soon as the deponent had got her a sedan chair; and she ordered that the chairman should go to Bolton Street, and the deponent, at her ladyship's desire, went with her to Admiral Byron's, in Bolton Street, and there were only servants in the house: that Lady Carmarthen went into the house, and sent the deponent to Green Street, Grosvenor Square, for Mr. Byron

to come to her, he being then at a Mrs. Byron's there; and the deponent did accordingly, and Mr. Byron immediately came to Bolton Street; and the deponent doth firmly believe that Lord Carmarthen hath, never since the said day that Lady Carmarthen so left the house, lived with or cohabited with his said lady: and the deponent doth believe, the said Lady Carmarthen now lives and cohabits with Mr. Byron, because the deponent hath seen them both together at Chislehurst, in Kent, and at other places; and also because the deponent, by his lordship's orders, having traced out Lady Carmarthen and Mr. Byron, found them at night, on the fourteenth or fifteenth of December, aforesaid, at a private house at Rotten Dean, about four miles from Brighthelmstone; where, after some difficulty, the deponent saw Mr. Byron's servant, who shewed the deponent into the room where Mr. Byron and Lady Carmarthen were in bed together; and the deponent saw them in bed very plainly.

WILLIAM SHADBOLT.

6th February, 1779.

The Deposition of William Rose.

WILLIAM ROSE, aged thirty-three years, footman to the Marquis of Carmarthen, a witness produced and sworn, deposes and says, that on the first of May last, he was hired to live as second footman to the Marchioness of Carmarthen, and came to live in the Marquis of Carmarthen's house in Grosvenor Square, accordingly, on the fourteenth of the said month, and hath been ever since in the said Marquis's service: he further saith, that on Friday the thirteenth of November last, the Marquis of Carmarthen set out from his house in Grosvenor Square for Bath, to see his lordship's father, the Duke of Leeds, who, the deponent understood, was then ill at Bath: that it was in the forenoon when his lordship so set out; and the deponent thinks he was gone about a week; that her ladyship did not go; that on his lordship's return from Bath, he staid a few days, or some short time in town, and then set out for Yorkshire; but

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her ladyship remained in Grosvenor Square; and he returned in about three weeks, or it might be longer; and the deponent thinks it was about the thirteenth or fourteenth of December, that his lordship returned home from Yorkshire: the deponent further saith, that he well knows John Byron, Esq. and the first time the deponent ever remembers to have seen him, was on the said Friday the thirteenth of November last, and he on that day (his lordship being then set off for Bath) dined with Lady Carmarthen, and also drank tea with her, as the deponent believes; but he knows Mr. Byron supped that evening alone with her ladyship, in Grosvenor Square; because the deponent saw them together in a room up one pair of stairs, at supper alone together; and the deponent and William Shadbolt (then the only footmen in the house) set the things for supper: that, after supper was over, the deponent and William Shadbolt took away the things (leaving only the desert) and carried them to their proper places; and, whilst they were in the servants hall,

William Shadbolt thought he heard the house-door shut, and that the gentleman (Mr. Byron) was gone out; that the deponent thinks the porter was then gone to bed; that they waited some time for her ladyship's ringing, as usual, previous to her going to bed; and the deponent thinks she did ring, but however they, being certain that she was gone to bed, went to take the rest of the things away; and after they had so done, the deponent missed one of the silver candlesticks: that they came down stairs, and set every thing to rights, and went to change their cloaths in the servants hall; and there saw a light in his lordship's powdering-room, the windows of which room nearly face the windows of the servants hall; that William Shadbolt determined to see what it was, and accordingly went, and, when he came back, told the deponent he had seen Mr. Byron sitting in his lordship's powdering-room, with a book in his hand: that they both then resolved not to go to bed, till they saw whether Mr. Byron went out of the house or not; and they then waited in the

porter's hall for about half an hour, when they heard a man's foot tread, rather cautiously, and go up two pair of stairs, from the stone stairs or back stairs; and they then heard a door shut; and the deponent verily believes such person was Mr. Byron; for, in order to come out of the said powdering-room, it was necessary to come up the said back stairs; and they being in the porter's hall at that time, did not see Mr. Byron go up stairs: that after they had heard, as aforesaid, the deponent let William Shadbolt out, he then sleeping out of the house; and then the deponent went to bed, and thinks it was about twelve o'clock: he further saith, that the next morning he had her ladyship's riding-dress to brush; which he having brushed, took up stairs, as usual, to put it on the bannister fronting her ladyship's bed-chamber-door; but seeing the house-maid, Sarah Harrison, the deponent, by her desire, took it into her ladyship's powdering-room, which joins the said bed-chamber: that it was then a little after nine o'clock; that the deponent then asked Sarah Harrison

rison if she was coming down to breakfast, and she said, Yes ; that, whilst they were thus talking together, they heard her ladyship's bed-chamber door open, and Sarah Harrison bade the deponent go away, for she thought her ladyship was coming out of her room ; and the deponent was going out of the said powdering-room accordingly, and then saw Mr. Byron pop his head out of her ladyship's bed-chamber-door ; and he, seeing the deponent and Sarah Harrison, popped his head back again into the room : that Sarah Harrison said, *O Lord, there's a man !* or some such words : that the deponent then went out of the said powdering-room, to go down stairs, and immediately her ladyship's door opened ; and the deponent turned a little, and saw Mr. Byron just at the door, he having that moment come out of her ladyship's bed-chamber ; and he followed the deponent down stairs, whistling or singing at the same time : that, the porter not being in the hall, the deponent opened the house-door, and let Mr. Byron out ; that he was then dressed in a darkish coloured

coloured green coat, and had his hat on, and a cockade in it; and he appeared to be about twenty-three, or twenty-four years of age: that the deponent saw Mr. Byron again that afternoon, and he thinks he dined alone with her ladyship that day, for he often did; and no other person dined with her ladyship when Mr. Byron dined there: that the deponent did not see or know of Mr. Byron's going out of the house that evening: that the next morning (Sunday) breakfast waited for her ladyship, and about two o'clock in the afternoon, the breakfast was ordered up stairs in the room where her ladyship usually supped, and the coach was ordered at the same time: that the deponent, who assisted in carrying up the things for breakfast, saw Mr. Byron and her ladyship alone together in the said room, and Mr. Byron was then in a scarlet coat: that about three o'clock, Mr. Byron handed her ladyship into the coach, and then he walked away: that, during his lordship's absence, either when he was in Bath or in Yorkshire, Mr. Byron scarce missed a day,

day, without coming in some part of the day, or evening, except for about two days, when he was in the country; and the deponent knows he was two or three days in the country, because her ladyship sent two or three times to him in Surry, as the deponent thinks; and her ladyship was for two days at Sion Hill, at Lady Holderness's, when the Marquis was in Yorkshire.

He also deposes and says, that, on the next day after Mr. Byron had handed her ladyship into the coach, William Shadbolt told the deponent, that her ladyship had desired that none of the servants would speak of what had passed, (meaning in respect to herself and Mr. Byron) and that she never would be guilty of the like again, or words to that effect; and a few days afterwards, her ladyship herself asked the deponent, and said to him, *William, has William Shadbolt said any thing to you concerning Mr. Byron and me?* and the deponent told her he had; and her ladyship said, *Very well:* the deponent further saith, that he frequently carried letters
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given him by her ladyship, directed to John Byron, Esq. Pall Mall; and one of the said letters she so gave him, was when her ladyship was at Sion Hill; and the deponent received it at about one o'clock in the morning; and her ladyship came out of the parlour into the stone hall, and delivered it to him herself, with another letter directed to Mrs. Perchand, the housekeeper, to inform her that her ladyship should dine at home that day: he further saith, that on his lordship's coming home, on Sunday the thirteenth of September, the deponent and the rest of the servants were examined, in respect to the transactions between her ladyship and Mr. Byron; and on the said day her ladyship left the house, and the deponent hath never seen her nor Mr. Byron since; and he verily believes his lordship has never lived or cohabited with his said lady since the said Sunday: he also saith, that, from all the circumstances aforesaid, he doth firmly believe that Lady Carmarthen and Mr. Byron did carry on a criminal connection together, unknown to the Marquis

quis of Carmarthen, and committed the crime of adultery together.

WILLIAM ROSE.

6th February, 1779.

The Deposition of Rose Francoise Lador.

ROSE FRANCOISE LADOR, spinster, aged twenty-seven years, of Grosvenor Square, in the county of Middlesex, a witness produced and sworn, deposes and says, that, four years ago last October, she went to live in the service of the Marquis and Marchioness of Carmarthen (the parties in this cause) and to be assistant to her ladyship's woman; but, for about three years she has been her ladyship's woman; and is at present in his lordship's house in Grosvenor Square; and she further saith, that she knows John Byron, Esq; and remembers seeing him two or three times in the Blue room, up one pair of stairs, in November last, while his lordship was in Yorkshire: that the deponent was, about

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that time recovering from an illness, and was not then so much about her ladyship as she otherwise would have been; and Sarah Harrison, the house-maid, officiated a good deal for the deponent: and the deponent further saith, that on Saturday evening the 14th of November (for it was the day after his lordship went to Bath) the deponent went about ten o'clock into Lady Carmarthen's bed-chamber (in her house in Grosvenor Square) to look for a rolling iron, and then thought she saw somebody lying in her ladyship's bed; but did not look particularly to see: that the deponent went into the room again, and by way of knowing more of the matter, she said, "My Lady are you ill, that you are in bed so soon?" And it was in the French the deponent spoke it; but no answer was made; and she heard a little snoring at that time: that the next day (Saturday) the deponent and Sarah Harrison, and also Jenny Tottie, (the second housemaid) were upon the watch, to see if any body came out of her ladyship's bed-chamber; and about two o'clock in the afternoon, the deponent saw

Mr.

Mr. Byron come out of Lady Carmarthen's bed-chamber, and go down stairs into the Blue room ; and he was dressed in a red coat, and had his hat on : that her ladyship's said bed-chamber bell was then rung, and the deponent went into the room and saw her ladyship in bed, and she bid the deponent give her her bed-gown : that the deponent then gave her ladyship a letter she had wrote, desiring to leave her ladyship's service, on account of what she had seen pass as aforesaid, meaning in respect to her ladyship and Mr. Byron ; and then the deponent came out of the room : that when her ladyship was up, and in her powdering-room, she desired the deponent not to leave her, and at the same time promised, that nothing of that sort should happen again (meaning in respect to Mr. Byron) and begged of the deponent not to speak of it : and her ladyship asked the deponent if she thought the servants knew of it, (meaning in respect to Mr. Byron) and the deponent said, Yes ; and her ladyship talked of giving money to the servants to keep them silent, and

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seemed confused and distressed, and then she went down to breakfast: that her ladyship went out that Sunday to dinner, and Mr. Byron went away about three o'clock; that the deponent saw Mr. Byron two or three times afterwards, in the said Blue breakfasting-room, and once he and the said Lady Carmarthen were going to sit down there to supper alone together, and it was about eleven o'clock: that the deponent never saw nor heard of Mr. Byron's being in the house, in company with his lordship; that the deponent on the aforesaid Sunday morning, before Mr. Byron came out of her ladyship's bed-chamber, as aforesaid, plainly heard Mr. Byron's voice as if in bed with her ladyship; and heard her ladyship's voice also; but could not distinguish what they said: and the deponent was then about the same chamber-door, and the powdering-room, and she also heard them talking together more than one night aforesaid, in the said bed-chamber; and she more than twice heard Mr. Byron come up stairs, open her ladyship's bed-chamber-door at night, and
then

then shut it; and the deponent could hear the same as she was in her own room, which is on the same floor as the said bed-chamber, and pretty near it: that from the aforesaid circumstances, she saith, that she doth not know what to think else, but that Lady Carmarthen and Mr. Byron used, unknown to Lord Carmarthen, to lye together in the same bed, and commit the crime of adultery together.

She further deposes and says, that she verily believes Lady Carmarthen used to correspond by letters with Mr. Byron, because her ladyship hath given the deponent letters, directed to John Byron, Esq. Pall Mall, to deliver to the servants to take to him: and the deponent further saith, that on Sunday the nineteenth of December last, (for the deponent set down the day in writing) his lordship came home, and the deponent and the servants were examined, respecting what they knew about her ladyship and Mr. Byron: and Lady Carmarthen left the house that day, and hath never been in it since, to the deponent's knowledge: that, in a few days
after

after her ladyship left the house, as aforesaid, she sent for the deponent, who went to her ladyship, who was then at Admiral Byron's house, in Bolton Street, and her ladyship wanted the deponent to wait on her; and his lordship having given leave, the deponent waited on her ladyship till the day after Christmas-day last, when her ladyship went into the country; and, during that time, Mr. Byron lived there: and once the deponent was in the bed-chamber, in the morning before her ladyship was up, and Mr. Byron came into the room at that time; but she doth not recollect whether she left Mr. Byron in the room or not; but another time, one morning, before her ladyship was up, Mr. Byron came into the bed-chamber, with a letter in his hand, and her ladyship sent the deponent out of the room.

ROSE FRANCOISE LADOR.

The

8th February, 1779.

The Deposition of Jane Paschaud.

JANE PASCHAUD, wife of Abraham Paschaud, house-keeper to the Marquis of Carmarthen, a witness produced and sworn, deposes and says, that she now is, and ever since the ninth of June, 1777, hath been housekeeper to the Marquis of Carmarthen; and she further saith, that one Sunday in the evening, about seven o'clock, in the month of November last, the Marchioness of Carmarthen sent for the deponent to come to her, in the room then called the Blue parlour, on the ground floor; and, on the deponent's coming into the said room, she found her ladyship alone, crying very much, and she said to the deponent, *Mrs. Paschaud, you know what has passed—I am very sorry for it—and never will the like happen again—I am quite distracted—I have nothing to say for my justification, but that it will never happen again:* that her ladyship then cried so much, and was so greatly affected, that

she could hardly speak : that her ladyship said further, *All that I am afraid of is, that it should come to my mamma's ears*: but her ladyship said nothing further whatever ; and thereupon the deponent came out of the room, and was herself so much affected that she could only say, *I am very sorry to see your ladyship in such a situation* : that from the aforesaid confession, made by her ladyship, the deponent understood nothing else, but that her ladyship alluded to her conduct or transactions with Mr. Byron ; but, as she never saw the said Mr. Byron, she cannot take upon herself further to depose, save that one day afterwards, about the end of the said month of November, the deponent carried her ladyship some board wages accounts, and her ladyship then told the deponent, that she had promised the maids to give them something, and that therefore she desired the deponent to give them four guineas, which she then gave to the deponent : but her ladyship said nothing further on that head ; and the deponent gave the money accordingly, between Jane Tottie, the
second

second house-maid ; Sarah Hatton, still-room maid ; Lydia, a kitchen-maid ; and Mary, the plate-maid : she further deposes and says, that one Sunday in December last, and as she thinks on the thirteenth of the said month, she was examined by his lordship, and two gentlemen present, touching any order that her ladyship might have given the deponent, in respect to her getting the servants to be silent as to her conduct with Mr. Byron, or words to that effect ; and the deponent told them what is herein before set forth, in respect to her ladyship's confession or declaration, as aforesaid : that his lordship was just then come from Yorkshire, as the deponent understood : that her ladyship went away from the house on the said Sunday, and the deponent hath never seen her since ; nor even from the end of November, when her ladyship gave the deponent the four guineas, on settling the board-wages accounts.

JANE PASCHAUD.

8th February, 1779.

The Deposition of Christopher Hodgkinson.

CHRISTOPHER HODGKINSON, porter to the Marquis of Carmarthen, aged thirty-eight years, deposes and says, that he is porter to the Marquis of Carmarthen, the producent in this cause, and hath so been these four years past, and upwards; and further saith, that on a Friday in the month of November last, as the deponent believes the time to have been, (but he cannot say what day of the month it was) his lordship went to Bath; that on the Wednesday before the said Friday, his lordship and Lady Camarthen dined at Lord Barrington's, and in the morning of that day, and before they went out to Lord Barrington's, as the deponent thinks, but he is not positive as to the time, a young gentleman (then a stranger to the deponent) came to his lordship's said house, in Grosvenor Square, and the deponent opened the door to him, and he said his name was Byron, and that he had got a letter to deliver to her ladyship, from Miss Harland: that William Shadbolt, her ladyship's

ladyship's footman, hearing the same, went up stairs, and the said gentleman followed him : that the deponent doth not recollect whether he saw Mr. Byron afterwards, or not, on that day : that it was in the morning when his lordship set out for Bath, as aforesaid ; and the deponent about four o'clock in the afternoon of the said day, opened the door to the said Mr. Byron, and he dined with her ladyship alone, as the deponent understood : that the deponent did not see Mr. Byron afterwards, either that afternoon, or evening ; and the deponent is certain he attended the door till past twelve o'clock that night : that, on the next day, (Saturday) Mr. Byron came again to dinner, and the deponent thinks he let him in, but the deponent did not see or know that he went away that afternoon, or evening : that, on the next day, (Sunday) the deponent asked leave to go out to see a relation that was very ill, and her ladyship having given leave, (by what the said Shadbolt told the deponent) the deponent went out about two o'clock, and returned in a few hours, and did not see Mr. Byron on the said Sunday : that his lordship was

absent (after he set out for Bath as aforesaid) a week, within a day or two, more or less, and then returned home to Grosvenor Square; and, in about a day or two afterwards, his lordship set out for Yorkshire: and the deponent thinks it was better than three weeks, before his lordship returned to his house in Grosvenor Square: that, during the absence of his lordship from home, the deponent let Mr. Byron in many times, sometimes before dinner, and sometimes about dinner time, and sometimes before supper; and the deponent hath let him out at different hours; sometimes so late as two, three, or four o'clock in a morning: and the deponent remembers also, (when his lordship was in Yorkshire, as the deponent best recollects) that Mr. Byron came once about one o'clock in the morning, and he asked for William, (meaning William Shadbolt, Lady Carmarthen's footman) and the deponent told him, that every body was in bed; and then the deponent shut the door, and Mr. Byron went away; and he also remembers, that one day, her ladyship had sent both her footmen out, and the deponent

deponent was told by one of them, that if her ladyship rung the bell, the deponent must answer it; and presently afterwards the bell did ring, and the deponent went up stairs, into a room her ladyship used to breakfast in, and then he saw Mr. Byron alone with her ladyship; and he desired the deponent to step down and fetch up his hat from the parlour below, where he had dined, and the deponent did so; that her ladyship then bid the deponent go and buy two yards of white ribbon, and the deponent accordingly went into Charles Street for that purpose: that it was then about nine o'clock in the evening: that the deponent finding he had not yet sufficient instructions what breadth the ribbon was to be of, went back again, and went up stairs to her ladyship, who was then alone; and the deponent saw nothing further of Mr. Byron that evening: that her ladyship then said, it did not signify whether he got the ribbon or not, and then the deponent went down stairs; and presently afterwards, Sir Robert Harland's servant brought a letter, which the deponent took up stairs, but did not then see her ladyship;

74 *The Marquis of Carmarthen, against*

ship; and then he came down and told the servant to wait a little, and, in about ten minutes, the deponent went up stairs again, and saw her ladyship, who was then alone in the said breakfasting room.

He also deposes and says, that he hath known several letters, sent by her ladyship's order, directed to John Byron, Esq. and the deponent once left a letter for Mr. Byron, in Pall Mall: he further saith, that on his lordship's return home from Yorkshire, the deponent, and the rest of the servants, were questioned as to what they knew respecting the said Mr. Byron: that it was on a Sunday they were so examined, and in the afternoon of that day, her ladyship left the house, and the deponent hath never seen her nor Mr. Byron since.

CHRISTOPHER HODGKINSON.

8th February, 1779.

The Deposition of Samuel Hawkins.

SAMUEL HAWKINS, of Doctor's Commons, London, gentleman, aged twenty-six years, to the paper-writing or exhibit,

exhibit, marked A, pleaded and exhibited, he saith, that he well knows the said exhibit to be, and contain a true copy of the entry of the marriage of the most Hon. Francis Osborne, commonly called Marquis of Carmarthen, and the Right Hon. Lady Amelia D'Arcy; and that the same hath been faithfully extracted from the register-book of marriages, solemnized in the parish of St. George, Hanover Square, in 1773; and carefully collated with its original now remaining therein, and agrees therewith, by reason that the deponent did, on or about the twenty-first of January last past, faithfully make the said extract from the register-book aforesaid, in the vestry-room of the parish church of St. George, Hanover Square, aforesaid: and he further saith, that Caleb Greville, the deputy-clerk of the said parish, collated the same with this deponent, at the time aforesaid; and the deponent then saw the said Caleb Greville subscribe his name and put his title (parish clerk) to the memorandum or certificate wrote underneath the said copy or extract, and then the deponent subscribed his name, as a witness thereto;

thereto ; and he now viewing the said exhibit, and name, Samuel Hawkins, thereto, saith that the same, as also the contents of the said exhibit, were and are of the deponent's own hand-writing ; and that he thereby well knows it to be the very same copy, or extract, he made and collated, and saw subscribed, and which he signed, as aforesaid.

SAMUEL HAWKINS.

S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, a definitive sentence or decree was promulged to the following effect, viz. that Amelia Baroness Conyers, commonly called Marchioness of Carmarthen, after the solemnization of the marriage, &c. did, in the years and months libellate, commit the crime of adultery with John Byron, Esq. and did thereby violate her conjugal duty with the said Francis Baron Osborne, &c. is therefore divorced and separated from bed, board, and mutual cohabitation with the said Amelia, Baroness Conyers, &c.

MR. C I B B E R,

AGAINST

WILLIAM SLOPER, Esq.

FOR CRIMINAL CONVERSATION WITH

MRS. C I B B E R.

THE declaration (which was opened by the junior council for the plaintiff) was for assaulting, ravishing, and carnally knowing, Sufannah Maria Cibber, the plaintiff's wife; and this was said to be done at three several periods of time, at divers days, between such a day, to such a day, at each period; whereby (the declaration said) the plaintiff lost the company, comfort, society, assistance, &c. of his wife, to his damage of five thousand pounds.

The

The council for the plaintiff were, Mr. Solicitor General, Mr. Hollings, Serjeant Agar, Mr. Marsh, Mr. Dennison, and Mr. Lawson. The council for the defendant were Serjeant Eyre, Mr. Noel, Mr. Lloyd, Mr. Murray, and Mr. Barnardiston.

Mr. Solicitor General (John Strange, Esq.) stated the case of the plaintiff, and, among many other things, observed to the court and the jury, that the injury done to the plaintiff was of the most tender concern to his peace of mind, happiness, and hopes of posterity, and was the highest of all injuries, for which he could come before them to seek a recompence or satisfaction in damages; and that, indeed, it was impossible to give a pecuniary satisfaction adequate to the injury: for, that no sum of money could restore a man's tranquillity of mind. But that the plaintiff must rest upon such remedy as the law had given him.

He farther observed, (upon the plaintiff's being a player) that it is true, the
plaintiff

plaintiff was a player, but he was also a gentleman; being well descended, and having had a liberal education. That the plaintiff himself was a very good player: that his father was well-known to all gentlemen who delighted in theatrical entertainments, to be of the first figure in that profession, and an author too; that the plaintiff's grandfather was the best statuary of his time; and the plaintiff, by the mother's side, was related to William of Wickham, and, in right of that pedigree, had received his education upon a foundation of that great man.

He said, he knew it was attempted by some, to have the players considered in a matter of this nature, as not upon the same footing with the rest of the subjects; as if it were more lawful to invade their properties, than those of other people; but he knew no law that deprived them of those comforts and rights which other subjects ought to enjoy; that the stage had been cherished and encouraged by the politest and wisest states, as a school of virtue and good morals; and, that many

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receive

receive good lessons and impressions from what they hear at the theatre, who perhaps don't incline to go to seek for instruction elsewhere.

That there had been a great deal of pains taken to spread a report about town, as if the plaintiff had been consenting to the wrong the defendant had done him; but this was only to blast the credit of the plaintiff's cause before the trial; and that it might come with prejudice before the jury. That his brief instructed him, that there could not be the least colour or shadow of proof to support such a surmise.

Mr. Solicitor General also stated the evidence for the plaintiff, in part as it came from the plaintiff's witnesses, in the following pages; but as to part of what comes from Mr. Carter, of Kensington, it doubtless was never mentioned in his brief. As to the principal facts, he mentioned, the witness, Mr. Hayes's looking through a hole in a wainscot partition, which parted Mr. Hayes's closet from a room in which the defendant and Mrs. Cibber were together; and, that through
that

that hole Mr. Hayes, at several different days and times, saw them guilty of criminal familiarities. and in such acts, and with such circumstances, and particularly the last time, he, Mr. Hayes, saw such a fight, as he, Mr. Solicitor, would leave to the witness to tell ; for it ought to be related but once.

Mr. Hollings also spoke on the same side, pathetically observing to the gentlemen of the jury, the mischievous consequence of suffering a man to commit such an injury to the married state, without being obliged to repair it in damages ; that the plaintiff was an Englishman, and as such, had rights which ought not to be invaded, particularly in the present instance ; that he had brought his complaint before a jury of English gentlemen ; and he, Mr. Hollings, did not doubt, that they would give the plaintiff proper damages.

The plaintiff's council then proceeded to call their witnesses. And, first, to prove the marriage between the plaintiff and his

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wife ;

wife: they called Mrs. Brett, but she did not appear at this time.

Note, She appeared in the afternoon, as will be mentioned hereafter.

The plaintiff's attorney then named Mr. Cibber, the plaintiff's father, who, being present in court, was sworn. His evidence was in substance as follows:

Quest. Do you know of the plaintiff's being married to his present wife?

Mr. Cibber. I was not at the marriage; but I am as well convinced that they were married, as that I was married. I was against the match.

Q. Why were you against the match?

Mr. Cibber. Because she had no fortune.

Q. Did they at first live happily together?

Mr. Cibber. They did live happy, very happy; much happier than I expected; for I was averse to the match.

Q. How long did they live thus happily together?

Mr.

Mr. Cibber. About three years : within that time they had two children, which are both dead.

Q. Did Mr. Cibber, the plaintiff, during that time, support her well, and liberally, as became an affectionate husband ?

Mr. Cibber. He did, even to profusion. I often admonished him about it, and advised him to retrench his expences ; for I thought them a good deal too large for his condition, and what he was not able to afford. He made her several valuable presents of rings and jewels.

Q. Is not Mrs. Cibber a good actress ? And how did she become so ?

Mr. Cibber. When they married, she was a singer ; but there were better voices. I thought her voice not the best ; and if not best, it is nothing. I thought it might possibly do better for speaking. I asked her husband, if he had ever heard her attempt to speak a part ? he said, he had ; and that she did it very prettily. I tried her, and was much surprised to find her do it so very well,

Q. Did

Q. Did not her husband take pains to instruct her?

Mr. Cibber. I believe I was the person who chiefly instructed her. I spent a good deal of time, and took great delight in it; for she was very capable of receiving instruction. In forty years experience, that I have known the stage, I never knew a woman, at the beginning, so capable of the business, or improve so fast.

Q. When did you first hear of any disagreement in the family?

Mr. Cibber. Soon after he came from France: about last April.

Mr. FLEETWOOD, Master of Drury Lane Play House, was sworn.

Q. Sir, Do you know the plaintiff's wife? Is she a good player?

Mr. Fleetwood. Yes, Sir, I think her a good player, for her time.

Q. What salary did you give her? What advantages did she bring to her husband?

Mr.

William Sloper.

Mr. Fleetwood. She played three seasons. For the first, her salary was an hundred pounds, and she had a benefit.

Q. What was that benefit worth?

Mr. Fleetwood. I cannot be particular; because I have not looked into the accounts on this occasion. If I had known I should have been examined on this, I could have been particular. I believe it might be about an hundred pounds.

Q. Well, Sir, the second year?

Mr. Fleetwood. The second year, Sir, I gave her two hundred pounds salary, and she had a benefit.

Q. What was the benefit worth?

Mr. Fleetwood. That must have been a good deal better than a hundred pounds.

Q. Then the third year?

Mr. Fleetwood. Her salary the third year was two hundred pounds, and she had a benefit.

Q. What was that worth?

Mr. Fleetwood. I believe it must have been worth a hundred and fifty pounds, for she grew much in the favour of the town; and 'twas a very good benefit.

Note,

Note, *The examination to these matters was at first opposed by the defendant's council, as not being supported by the declaration; but the plaintiff's council insisted, that it being laid in the declaration, that by the means there alledged, the plaintiff had lost the assistance of his wife, he had a right to prove the loss he sustained by the defendant's taking her off the stage, and the quantum of that loss: and of that opinion was the court; so Mr. Fleetwood was examined as above. The defendant's council insisted, that nothing here appeared, that the defendant had taken her off the stage; and they cross-examined Mr. Fleetwood.*

Q. Sir, how comes it that Mrs. Cibber don't play this season?

Mr. Fleetwood. Because we could not agree upon terms. I would not come up to her terms.

Q. What

Q. What were her terms?

Mr. Fleetwood. She insisted to have as good a salary as any woman in the house, and the first benefit.

Q. Perhaps she deserves as much. Is she not as good a player as any in the house?

Mr. Fleetwood. I can't say that. I can't pretend to determine that. I have got more money by Mrs. Clive.

Mr. Quin, Mr. Johnson, and some others were called for this purpose; but the court was of opinion, it was now proper for the plaintiff's council to establish their principal fact.

Mrs. HAYES was sworn.

Q. Mrs. Hayes, Pray give my Lord and the jury an account of the defendant and Mrs. Cibber's coming to your house. Do you know Mrs. Hopson?

Mrs. Hayes. Yes, Sir, it was just this day twelvemonth, the fifth of December,

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that

that Mrs. Hopson came into my lodgings. I live in Blue-cross Street, Leicester Fields; on the Saturday Mrs. Hopson came to my house, and took my lodgings. She beat them down as low as she could; for she said she was a single woman, and should give but very little trouble; she had no body to come after her but a gentleman and a gentlewoman that would come to see her sometimes. She had the lodgings for seven shillings a week, two rooms on the first floor; there was a bed in each room, and one of them a turn-up bed. She was to come in on Sunday, but she sent me word, that she should not come in till Monday; and on Monday, the fifth of December, she came in a hackney-coach, and some boxes and things with her. On Sunday in the evening a young gentleman, whom I afterwards knew to be Mr. Sloper, called, and asked, if Mrs. Hopson had not taken the lodgings, and whether she was come? I told him, she had taken the lodgings, but that she had sent word, that she should not come till Monday. She lay there on Monday night.

Neither

Neither Mrs. Cibber nor Mr. Sloper came that day, but they came soon after; I think it was on Tuesday; and they supped together, and went away between eleven and twelve o'clock. Mrs. Hopson sat up and let them out, and locked the door after them. They often came in the space of six weeks, that Mrs. Hopson had the lodgings: I believe twenty times. They did not come together, but dropping in one after the other. They sometimes dined, but most commonly supped there. Mrs. Hopson used to leave them together every time they came; sometimes an hour; sometimes two or three hours at a time. She often made errands to go out to buy something; and sometimes sat two hours at a time below stairs with me, while they were above together. They staid sometimes till one or two o'clock in the morning; and how they went away I cannot tell, for I was in bed at those times: but I believe they usually went in chairs or coaches.

Q. When they were thus alone, did they use to fasten the door?

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Mrs.

Mrs. Hayes. Yes, the door used to be fast. Mrs. Hopson used to go and knock at it, and they let her in ; and sometimes she could not get in, and used to come down stairs again.

Q. How did you know they were Mr. Sloper and Mrs. Cibber ?

Mrs. Hayes. There was an acquaintance of mine at my house one day, when Mrs. Hopson came down stairs to me, one Mr. Rowe, and he knew Mrs. Hopson. How do you do Mrs. Hopson ? says he. So, after she was gone, I asked him who Mrs. Hopson was ; and he told me, she was Mrs. Cibber's maid : so I gave her warning, and let my lodgings to another ; for I did not like their coming. Mrs. Hopson did not usually lie there of nights, except when they had been there in the evening ; but on those nights she did lie there. One day, after I gave her warning, Mr. Sloper was in a great passion above stairs at something, and Mrs. Hopson came to me ; " You have made a fine kettle of fish of it," says she. I do not know what she meant by her kettle of fish. " What fish do

do you mean?" says I. "Why, there, says she, you have been talking of matters, and he's stark mad at it above stairs." She would have kept the lodgings; but I chose not. I let them to another; and so they went away.

Q. Did Mr. Cibber ever call at your house, and talk with you about them?

Mrs. Hayes. Yes, about five or six months ago, he called and asked me, if Mrs. Hopson had not lodged there? I told him she had. He asked, who came to see her, and I described them, both by their cloaths and their persons; so he said no more, and went away.

Mr. HAYES sworn.

Q. Sir, give an account of Mrs. Hopson's lodging at your house, and who came to see her, and what happened, &c.

Mr. Hayes. When Mrs. Hopson had my lodging, Mr. Sloper and Mrs. Cibber used to come often to her; and she used to leave them together two or three hours at a time. They used to go away at one,
I two,

two, or three o'clock in the morning, in coaches or in chairs. I have a closet on the same floor, adjoining to the room where they used to sit: I bored holes through the wainscot, and could see them very plain. He used to kiss her, and take her on his lap. On the twenty-second day of December, as I was looking through, he took her on his knee, lifted up her cloaths, and took down his breeches; and took his privy member in his hand, and put it between her legs. On the twelfth day of January I was locked up in the closet at one in the afternoon: he came first, and he was angry because she was not come; and he sent Mrs. Hopson for her. In about two hours she came. Mrs. Hopson went away, and left them alone: so he spoke something to her in an angry way about Mr. Fleetwood. She said, she would take away her brother from his house, and that she did not value Mr. Fleetwood. He and she grew friends again. They made it up, and he took her upon his lap, took up her cloaths, took down his breeches, and put his privy member between



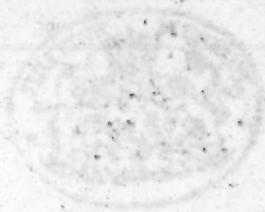
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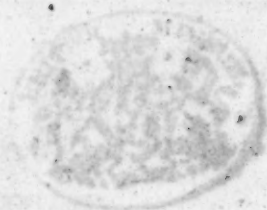
Cook sculp.

I bored a hole through the Wainscot & could see very plain.

See N^o 67 of Trials for Adultery, page 16.

30. Dec^r. 1780, by S. Bladon.







Dodd delin.

Grant sculp.

M.^r Sloper and M.^{rs} Cibber, as they are described on Oath.

See N.^o 67, Trials for Adultery page 17.

23 Dec. 1780. by S. Bladon.

between her legs. I staid there longer. Between five and six in the evening he let down the turn-up bed softly, she laid herself upon it, upon her back, and pulled up her cloaths; her body was bare: he unbuttoned his cloaths, hung his bag-wig upon a sconce, let down his breeches, took his privy member in his hand, and lay down upon her.

Hereupon some further questions offering, as to the fact, his Lordship interposed to this effect; there is no occasion to be more particular; we are not trying a rape. However, the witness did say, there was a criminal conversation; and, being a foreigner, he expressed himself as much by gestures as by words.

Q. Was the chamber locked?

Mr. Hayes. No, it was fastened with a screw. The holes are there to be seen in the wainscot and the door.

Q. Who did that screw belong to?

Mr. Hayes. I believe it was Mrs. Hopson's. I have seen it in the chamber-window.

Q. How did you know who they were?

Mr.

Mr. Hayes. Mr. Rowe was one day at our house, and he spoke to Mrs. Hopson; and afterwards he said, she was Mrs. Cibber's maid. Besides, I dogged them both home in their chairs. Her chair carried her to Mr. Cibber's house, No. 12, in Little Wild Court, and his chair went to his father's house, in St. James's Place. After he was gone into the house, I asked the chairmen whose house that was; and they told me, old Mr. Sloper's. I had often seen him at the Tennis Court, and knew his name there.

Mr. ROWE was sworn.

I was one day at Mr. Hayes's, and Mrs. Hopson came in. I asked her how she did. I had known her for a good many years before; and the last time I had seen her, I had been told she lived with Mr. Cibber. I believe I told Mrs. Hopson so.

Juryman. My Lord, we would beg leave to call back the last witness, Mr. Hayes, to ask him this question.

Why

Why he took the pains to dog Mr. Sloper's chair, at that time of night, to learn who he was, when he had known him before at the Tennis Court?

Mr. Hayes being called in again, and the question being put, he answered to this purpose.

As Mr. Sloper and Mrs. Cibber came into my house, I knew them both; because I had seen him at the Tennis Court, and her on the stage: but, to be more certain, I went and followed their chairs, as I told you.

Mr. CARTER was sworn.

Q. Give an account of Mr. Cibber and Mrs. Cibber's lodging at your house in March last, and whether Mr. Sloper resorted there?

Mr. Carter. Yes, Sir, on the twenty-second of March, Mrs. Cibber took the lodgings, I believe for them all; there were three beds.

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Q. Do

Q. Do you remember any thing of Mr. Cibber's going to France, and whether Mr. Sloper came there during his absence?

Mr. Carter. Yes, Mr. Cibber went to France soon after; and Mr. Sloper did lodge there part of the time while he was absent; and he lodged there again soon after Mr. Cibber came back: and there was a lodging taken for Mr. Cibber at Blue Green, about a mile and a half from Kensington; and after Mr. Cibber, Mrs. Cibber, and Mr. Sloper had supped together, Mr. Cibber had a man with a candle and lanthorn, between nine and ten o'clock at night, to light him to Blue Green. He came back to breakfast the next morning, and every morning; and they dined and sometimes supped together; and he went to Blue Green at night, and Mr. Sloper and Mrs. Cibber lay at my house: but I do not know what beds they lay in. When Mr. Sloper went away from his lodgings back to London, Mr. Cibber left Blue Green, and came and lay at my house.

Q. Who

Q. Who bore the expences of their house-keeping?

Mr. Carter. Mr. Sloper did. Sometimes he gave my wife money to lay out; at other times, my wife laid out what was necessary, and made a bill of it; and Mr. Sloper paid it.

Q. Did Mr. Cibber know this?

Mr. Carter. Yes, Sir, it was very often before his face.

Q. Did he offer to pay any thing?

Mr. Carter. No, Sir.

HANNAH CALCOT *and* RUTH CALCOT,
being severally sworn and examined, had little to say.

They lived at Burnham, in Buckinghamshire, where Mr. Sloper and Mrs. Cibber spent part of last summer. The amount of their evidence was, that Mr. Sloper and Mrs. Cibber lived at the same house at Burnham: they were sure he lived there, because they had seen him

walk abroad in his flippers, and in an undress.

*FIFE and WATSON being severally sworn,
deposed.*

That they and another, in a coach, went with Mr. Cibber to Burnham, in September last, to take away Mrs. Cibber; that they left the coach in a field, and went to the house where she and Mr. Sloper were; that she was in a night-gown sitting at the tea-table, and Mr. Sloper was at the other side of it, in his flippers; that Mr. Cibber said, he came to demand his wife; that Mr. Sloper cursed and swore, and called Mr. Cibber hard names, but suffered one of the witnesses to lead her to the coach, and walked on the other side of her himself; that she gave him a watch out of her pocket, on which he said, "By G--d, well remembered, the rascal would have had it else:" that they drove away with Mrs. Cibber in the coach along with Mr. Cibber and two
of

of his assistants, the third being on horseback. That Mr. Sloper soon overtook them; that he swore there was a villain in the coach, who should never live to go into another; that they came to Slough, and there Mrs. Cibber, not being well, desired Mr. Sloper (who was at the side of the coach, before the door of the inn) to get a dram; that Mr. Sloper brought her a glass of rum; that she was above a quarter of an hour in the coach, before the door of the inn, while Mr. Cibber was in the house, providing for her accommodation: that when Mrs. Cibber was in the chamber in the inn, she called her husband a great many villains, and said, that now he had ruined her reputation, she did not value if all the world knew that she was with child by 'Squire Sloper; and, that she loved him dearly, for he was an honourable gentleman: that Mr. Sloper took up a room in the inn for some time, swore much, and fired a pistol, which one of the witnesses seemed willing to believe was intended at him; but being cross-examined, he did own, that the muzzle of
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it was elevated so as to point over the stable; and also, that Mr. Cibber and his assistants had two cases of pistols loaded. These proved, that Mr. Sloper went away in the night-time from the inn, which determined Mr. Cibber to stay all night: that he sat up all night himself, and procured a woman to lie in the bed with his wife. She would eat no supper, though there was one provided; for she was sulky. The next day he did not take the direct road to London, but drove a-cross part of the country, and got to London in the evening.

STINT *was sworn.*

Stint. Mr. Cibber employed me to take care of his wife when he brought her to town, that she might not be taken away again; and he used her, and provided for her, very honourably, and gave orders at the tavern, the Bull Head, near Clare Market, that she should want for nothing; meat was dressed there for her, and brought to her, and wine, a pint of white and a
pint

pint of red. She complained, that it was cold weather, and I made her a fire, and locked her up in the room again; but she knocked, and called, and begged, for God's sake, I would let her out, or else she should be stifled, for the chimney smoaked: so I let her out, and put out the fire. Mr. Thomas Arne, her brother, came there, and he begged and prayed, that I would let her go along with him: but I would not break my trust; I could not do it. He came several times, and, finding I would not do it, began to break open the house; and, at the same time, bid her cry out murder: she cried out murder, and I believe there was an hundred mob assisting him to break open the house. I had a case of pistols, and laid my back against the door; but they were too strong for me, and took my pistols out of each hand, held me by each arm, beat me severely, tore all the cloaths off my back, and took Mrs. Cibber away with them.

APPLES-

—— APPLESFORD, *the Reading stage-coachman, was sworn.*

This witness proved, that he was hired to carry two ladies and a gentleman, some time in September last, from Slough to Reading. He was to meet them at Slough, and met them accordingly. The gentleman walked out of town in boots, about half an hour before the coach, and when the witness overtook him, he took him in. He knew neither him nor the women.

This witness was paid two guineas for his charges; and several other witnesses from Slough were also paid, who had nothing to say to the purpose.

Mrs. BRETT, *was sworn.*

She proved the marriage; and being asked, when and where she saw Mrs. Cibber last? she answered, this morning at her mother's.

This last question was asked, because it had been insinuated that Mrs. Cibber, at that very time, cohabited with Mr. Sloper.

Mr. Serjeant Eyre, for the defendant, opened the defence. And among other things observed, that he believed that this was the first action of the kind, that ever came from the theatre; that he never heard that it was a place celebrated for virtue: that Mr. Solicitor General had taken some pains to display the plaintiff's pedigree as descended from William of Wickam, who was a clergyman; celibacy prevailed among the clergy; therefore the plaintiff could not be descended in a right line from him. That love is the most governing passion in human nature; that as it is so, all theatrical performances abound with it; that they cannot expect to please without it: that a very wise and modest man who hath wrote one of the best plays extant, could not depend on his hero for success; that he was forced to interlard love-scenes, or it might probably have been damned the first night; and

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this is the Tragedy of Cato. That the hero of this piece, that very Cato, the greatest man of the time he lived in, is recorded in history to have had very free notions of love and matrimony; that he lent his wife to a friend to breed out of her, and when they had done, he took her back again very well contented. That the players are a people who act, and enter into all manner of characters; that their men and women are made to fall in love with each other every day; this day with one, to-morrow with another; that this practice in variety must give them an uncommon propensity to love, without any confinement of the passion to a particular subject; that it is very likely this enters into their common course of life. That their women learn all the allurements that can engage the eye and ear, and strike the imagination of young gentlemen; they dress, chat, sing, dance, and every way charm unguarded young gentlemen, who are not aware of any ill consequences. That it had already appeared, and would further appear in the course of the evidence,

dence, that if there was a suspicion of any thing amiss in the acquaintance between Mr. Sloper and Mrs. Cibber, that the plaintiff must thank himself for it; that the plaintiff had taken pains to bring them acquainted, to live under the same roof, and used to leave them together to improve their acquaintance; that he (Serjeant Eyre) hoped that nothing criminal had passed between them; but if there had, the plaintiff had certainly encouraged it, and had no pretence to come to a jury for damages.

Mr. Lloyd, on the same side, made an excellent speech. He hoped (as Mr. Serjeant Eyre had done) that nothing criminal had passed between the defendant and the plaintiff's wife; but if any thing seemed to tend that way, it at the same time appeared that the plaintiff was privy and consenting to whatever intercourse or familiarities there passed between them. That if there had been any thing done amiss with such circumstances (he submitted to his Lordship's direction, but) apprehended that the plaintiff had no

wrong done him; upon this maxim in law and reason, *volenti non fit injuria*; and that therefore he (the plaintiff) ought not to have a verdict. But that if it should be thought proper (notwithstanding such consent) to find a verdict for the plaintiff, it would at least be fit and necessary for the gentlemen of the jury to proportion it to the size of the trespass, which he hoped would be taken in consideration upon this occasion.

ANN HOPSON *was sworn.*

Q. Did you lodge at Mr. Hayes's about this time twelvemonth?

Ann Hopson. Yes, Sir, I was then out of service. I had left Mr. Cibber's, and intended to follow the business of mantua-making: I was bred to it.

Q. Did Mr. Sloper and Mrs. Cibber sometimes meet at your lodgings?

Ann Hopson. Yes, they came to see me pretty often. They desired they might come there, and usually had a bit of something to supper.

Q. For

Q. For what purpose did they meet ?

Ann Hopson. As they were acquaintance, to converse together.

Q. Did you use to go out, and leave them alone together ?

Ann Hopson. Yes, I often had occasion to go and buy something for supper, or some tea and sugar ; and I had occasion to be below stairs to get supper ready.

Q. When you came up stairs did you use to find the chamber-door fast ?

Ann Hopson. Sometimes it was so ; and Mr. Sloper used to open it to me.

Q. Pray, what would you believe was the occasion of these private meetings ?

Ann Hopson. I will tell you all I know of the matter. I do not fear my character ; there are enough in court that will give me a very good character. It was about March was a twelvemonth that Mr. Sloper used first to come to our house, to Mr. Cibber's. The servants did not know who he was ; but my master called him Mr. Benefit, and used to say he was a romp, and a good-natured boy. Mr. Cibber was then very bare of money, and
afraid

afraid of his creditors. I was very sorry for it; for he owed me a good deal of money, and does so still. But one day he told me, "Anne, says he, I shall have a good deal of money soon, and you shall have some." And I know he soon after had a good deal of money, and he paid me five guineas. That summer we went to lodge at Kingston, and Mr. Sloper with us. My master used often to leave Mr. Sloper and my mistress at home, and go a riding or abroad, some where or other. The rest of the servants wondered at it as well as I; but I knew no harm. They did not know Mr. Sloper's name. My master called him his cousin Thompson. Afterwards, when they came to town, I left the service, and took that lodging. In last spring, about March last, I lived with them again. My master took me aside, and made me promise secrecy concerning something he was about to say to me. He told me he was going to France; that there was an affair between Mr. Sloper and his wife: that he was ruined for ever if it should be publickly known. And he
made

made me promise to live with her till he should come back ; that the rest of the servants might not know any thing of the matter. I promised him. They took lodgings at Kensington, and my master went to France in March or April. He was some weeks gone, and in his absence Mr. Sloper was commonly at the lodgings at Kensington. When my master came back, he was at a bagnio in Goodman's Fields, and sent word to my mistress. Mr. Sloper was not then at Kensington. My mistress and I went to Goodman's Fields in a hackney-coach, and he came back with us to Kensington. In our return we changed our coach two or three times by the way that he might not be discovered. She told him, she expected Mr. Sloper in a day or two. My master said he would take a lodging when Mr. Sloper came, or if there was not time for that, he would go lie at some inn in the town. Within two or three days Mr. Sloper came ; and then Mr. Cibber sent and took a lodging at Blue Green, and after supper about nine or ten o'clock he
went

went there, with a man carrying a lantern and candle, and left Mrs. Cibber and Mr. Sloper at the lodgings at Kensington. He came back to breakfast next morning, and dinner, and I believe supped, and so he did several days, till Mr. Sloper went away; and then Mr. Cibber paid off the lodgings at Blue Green, and came to the lodgings in Kensington to his wife.

Q. Was you at Burnham with Mr. Cibber and his wife, and Mr. Sloper?

Ann Hopson. Yes, last summer it was. They three and I looked over the house, that they might contrive in what rooms to lie, and the rest of the servants know nothing of the affair. It was a large house, seven rooms on a floor. Mr. Cibber's bed-chamber, and Mr. Sloper's had a door opened between them. Mrs. Cibber used to undress herself in my master's room, and leave her cloaths there, and put on a bed-gown, and take away one of the pillows from my master's bed, and go away to Mr. Sloper's room; my master used to shut the door after her, and say, Good night, my dear; and sometimes he used to
knock

knock at their door in a morning to call them up to breakfast, and at other times he sent me to call them, and the pillow was brought back again ; for my master's bed was always made with the two pillows.

Q. Did you see Mrs. Cibber the day she was rescued, and where ?

Ann Hopson. Yes, I saw her at her mother's, Mrs. Arne's.

Q. Was Mr. Sloper there ?

Ann Hopson. He was there.

Q. What became of Mrs. Cibber ?

Ann Hopson.. I do not know, she went away somewhere. I did not see her 'till two or three days afterwards.

Q. Did you go down into the country with her afterwards ?

Ann Hopson. Yes, we went to Reading, Mr. Sloper met us at Slough, and there we went into the Reading coach ; Mr. Sloper walked out some time before us, and the coach took him up.

Q. Where was Mrs. Cibber afterwards ?

Ann Hopson. At Reading with Mr.

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Sloper,

Sloper, till she came to town about five weeks ago.

Mrs. CARTER, (the wife of a former witness) was sworn.

She gave in substance the same evidence that her husband did before, and that Mr. Sloper used to pay her the money for house-keeping. That when the lodging was taken at Blue-Green, and upon her asking the meaning of it, she had for answer, it was because Mr. Cibber was a mean spirited dog.

Q. Why would you keep such a house ?

Mrs. Carter. I thought it no business of mine, if the husband consented, and was satisfied.

JANE PHILIPS, *was sworn.*

Q. Give the court, &c.

Jane Philips. I lived at Burnham, and used to make the beds. There were two pillows on Mr. Cibber's bed, and only one pillow on Mr. Sloper's ; but there was
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the mark of only one person having lain in Mr. Cibber's bed, and of two in Mr. Sloper's. The bed-chambers opened into each other. I never saw Mrs. Cibber undress, nor do I know who brought back the pillow every morning.

As hath been said with regard to the rest of the council, so as to Mr. Murray, we shall mention but a few hints from his speech.

He observed, that the plaintiff by his council, shewed himself related to William of Wickham, but would have been entitled to claim that alliance, if he had observed William of Wickham's motto, that *Morals make the man*: the words are, *Manners make the man*; but *manners* are there intended to signify *morals*.

That, upon the whole of the evidence, the council was afraid, that the plaintiff's wife and the defendant had gone beyond the bounds of duty; but whatever had passed, appeared not only to have been with the plaintiff's consent, but even to have been concerted by him; that the defendant was a young gentleman of fortune,

who became acquainted with a player and his wife; that she, being mistress of the alluring arts of the stage, first engaged that young gentleman's affection, and drew him in, and this with the husband's privacy and assistance; for the plaintiff conceals the defendant's true name from the knowledge of the servants: at one place he calls him Cousin Thompson; at another, Mr. Benefit, a cant name, taken from a particular night in the year, when they get a great deal of money. The plaintiff tells the servants, the defendant is a romp, and a good-natured boy; and he makes a boy of him: he takes his money, lets him maintain his family, resigns his wife to him, and then comes to a court of justice, and to a jury of gentlemen, for reparation in damages. The council further represented, that it would be of the utmost ill consequence, if it should once come to be understood in the world, that two artful people, being husband and wife, might lay a snare for the affections of an unwary young gentleman, take a sum of money from him, and, when he would
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part with no more, then come for a second sum to a court of justice.

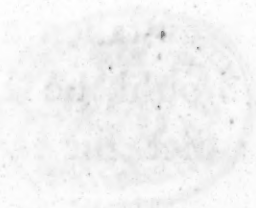
That he (the council) desired to be understood, as by no means an advocate for the immorality of the action; for this is not a prosecution for the public, or to punish the immorality: this is only a question, whether the defendant has injured the plaintiff? And, certainly, the plaintiff cannot be injured, if he has not only consented, but has even taken a price.

However, if it should be thought requisite to find a verdict for the plaintiff, we have not a denomination of coin small enough to be given him in damages.

Mr. Solicitor General, in his reply, observed the ill consequence of letting it pass for a law, that men might sell their wives; which would be the consequence of giving a verdict for the defendant.

His lordship summed up the evidence;

And the jury withdrew; and, in about half an hour, brought in a verdict for the plaintiff, with ten pounds damages.



JONATHAN COLLET,

AGAINST

ANNE CHARLOTTE COLLET.

LIBEL given in the 28th of *June*,
1770.

IN the libel above-mentioned, Jonathan Collet sets forth, that, on or about the fourteenth of February, 1765, he was lawfully joined in holy matrimony with Anne Charlotte Collet, then Anne Charlotte Betts, widow: that he and the said Anne Charlotte Collet, his wife, continued to live and cohabit together till about the month of September, 1769, when he discovered that the said Anne Charlotte Collet carried on a criminal correspondence with divers strange men, and committed the crime of adultery; particularly with a man in a meadow, dressed

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in a scarlet or red coat: that she frequently behaved in a very indecent manner, by pulling up her petticoats to a great height above her knees, and thereby exposing her nakedness before several strange men, without regarding their being present: that the said Anne Charlotte Collet was discovered in bed with one John Branch, at the house of one Catherine Gascoyne, being a public house, known by the sign of the Lebeck's Head, in Dorrington Street, Brook's Market, &c. he therefore prays that right and justice may be effectually done and administered to him in the premises, and that he may be divorced and separated from bed, board, and mutual cohabitation with the said Anne Charlotte Collet, his wife, &c.

1st August, 1770.

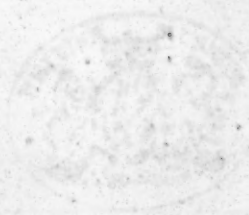
The Deposition of Edward Chapman.

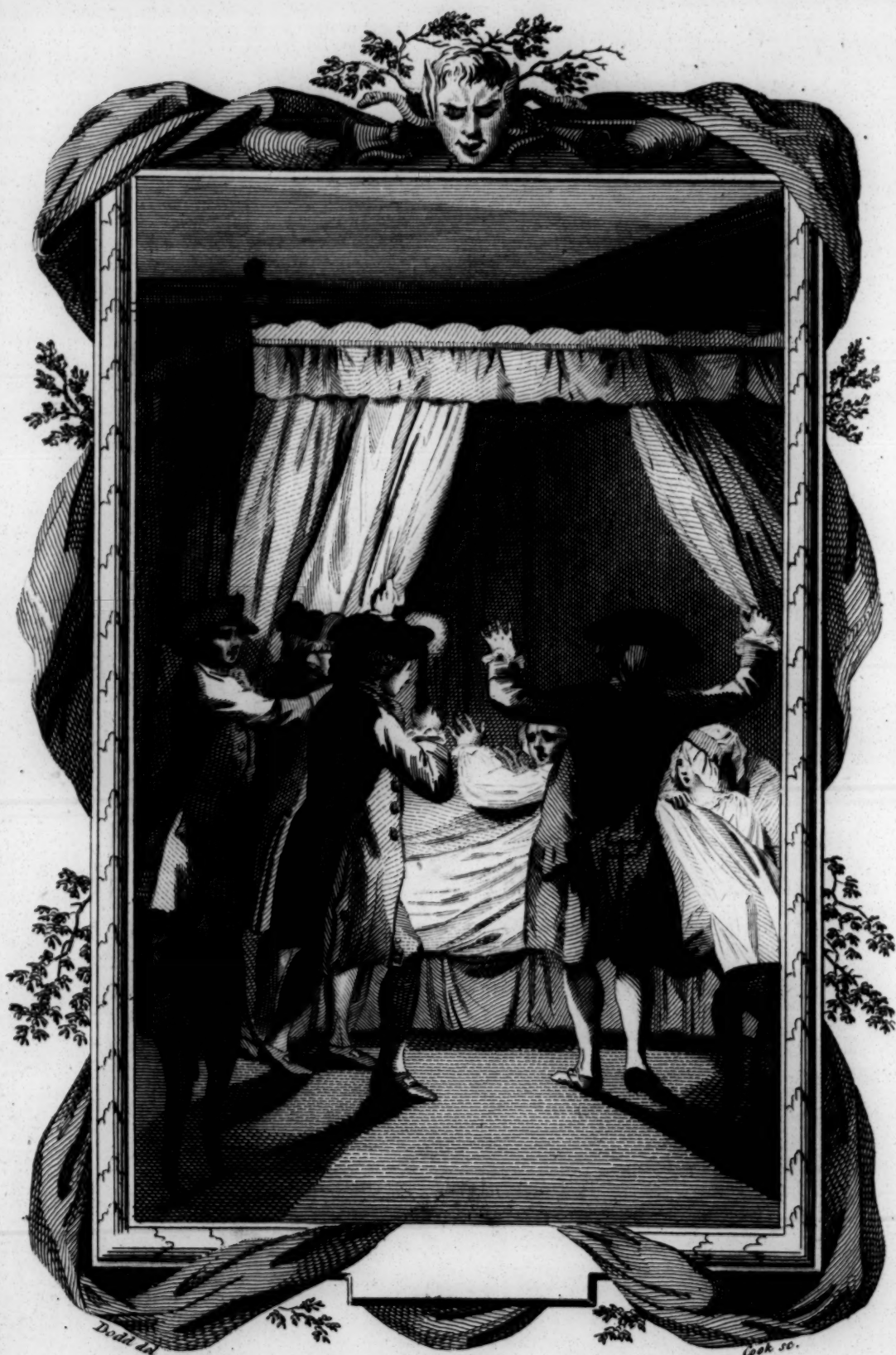
EDWARD CHAPMAN, of Whitehorse Alley, Cow Cross, in the parish of St. Sepulchre, London, brass-founder,
aged

aged thirty-eight years, depofes and fays, that he well knows Jonathan Collet, and Anne Charlotte Collet, his wife, the parties in this caufe; that he came firft to know the faid Anne Charlotte Collet feveral years ago, when fhe was married to her firft hufband, Mr. Thomas Betts, deceased, who kept a glafs manufactory, near the Haymarket, in Cockfpur Street; and that he came to know the faid Jonathan Collet, by his marrying the faid Anne Charlotte Collet, then Betts; he, this deponent, having for many years worked for the fhop, which the faid Jonathan Collet now keeps, in his bufinefs of a brafs-founder: that the faid Jonathan Collet, and Anne Charlotte Collet, his wife, lived for one or two years very well together; and fo lived and cohabited together, as he verily believes, at bed and board: that they have one daughter living; and for, and as lawful hufband and wife, they have fince their faid marriage owned and acknowledged each other, and were and are fo commonly accounted, reputed, and taken to be, by their rela-

tions, neighbours, friends, and acquaintance: and this deponent saith, that, on Sunday the first day of April last, the said Jonathan Collet, about eleven o'clock at night, called upon this deponent at his house in White-horse Alley, Cow Cross, and communicated to this deponent his suspicions that his wife, the said Anne Charlotte Collet, was intimate with some man, and desired the deponent to go with him to detect them: that this deponent accordingly went with the said Jonathan Collet, his brother Thomas Collet, and John Fennymore, whom the deponent well knows, to the Lebeck's Head, being a public-house in Brook's Market, near Leather Lane, Holborn, kept by one Mrs. Gascoyne: that they found the said Anne Charlotte Collet was at supper in the said house with a strange man, and they all waited till they went to bed; and about, or between three and four o'clock in the morning, of the second day of April, the said Jonathan Collet went up stairs into a back-room, or bed-chamber, attended by this deponent, the said Thomas Collet, and

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*M^{rs} Collet discovered in bed with John Branch, by
Edward Chapman and others.*

See Trials for Adultery N^o 28. pa. 4.

Published as the Act directs by S. Bladon, 29, Sept. 1780

and John Fennymore, and they all then and there saw the said Anne Charlotte Collet, whom the deponent well knew, although she attempted to hide her face by pulling the cloaths over it, naked and alone in bed with a man, then a stranger to this deponent; but whom the deponent hath since seen and knows to be John Branch: and the said Anne Charlotte Collet, and John Branch, had then, as this deponent verily believes, carnal knowledge of each other, and committed the crime of adultery together.

The same witness upon interrogatories.

To the first interrogatory, the nature of an oath, and the sin and danger of perjury, and the punishment due to a false witness, was explained to the witness, and he was admonished to give his testimony in this cause candidly and impartially, without favour or affection to either party.

To the second interrogatory he answers, that he comes to be a witness in this cause

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at the request of the producent, and he was first applied to by letter from the producent, on the day he was sworn as a witness, to the best of his remembrance, and accordingly attended with the producent and other persons to his proctor; and this deponent hath not otherwise had any meetings or conversations with any person concerning his being examined.

To the third interrogatory he answers, that he hath not been taught or instructed by any person what to depose, or what he should not depose, or avoid deposing, in this cause: that the evidence he has now given is the truth, the whole truth, and nothing but the whole truth, without prejudice to the ministrant.

To the fourth interrogatory he answers, that as far as he knows, or believes, none of his fellow witnesses have been taught or instructed by any person what to depose, or what they should not depose, or avoid deposing in this cause.

To the fifth interrogatory he answers, that, he has not, nor to his knowledge or belief have any or either of his fellow
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witnesſes received, or been promiſed, and that he does not expect to receive any gratuity, reward, ſatisfaction, or preſent, for giving his evidence in this cauſe; and knows not, nor hath any reaſon to believe, that any of his fellow witneſſes expect any.

To the ſixth interrogatory he anſwers, that he cannot ſay how long he has known the producent, but that he became acquainted with him by his marrying the miniſtrant; that he hath heard that the producent was before his intermarriage with the miniſtrant, a clerk to a merchant; that he knows not the name of the merchant, nor any thing about the circumſtances that the producent was then in; that he now profeſſes the buſineſs or occupation of a glaſs manufacturer, and hath occupied and profeſſed ſuch buſineſs ſince his intermarriage with the miniſtrant: that he, this reſpondent does believe, was no ways verſed or acquainted with his preſent buſineſs or calling, before ſuch his intermarriage with the miniſtrant.

To the ſeventh interrogatory this reſpondent ſaith, that he is a ſtranger to the con-

tents of the said interrogatory, and knows not how to answer or to form any belief concerning the matters thereby enquired after.

To the twenty-second interrogatory he answers, that he has no prejudice either to one party or the other, and has no wish to give the victory more to one than the other: but that he thinks that if Mr. Collet has been injured, that he ought to have justice done him; that he is not any ways related or indebted to the producent, and he does not believe, that if he should depose contrary to his interest, that he should be prejudiced thereby.

The witness was then admonished as directed.

EDWARD CHAPMAN.

8th October, 1770.

The Deposition of Thomas Collet.

THOMAS COLLET, of New Street Square, in the parish of St. Bridget, otherwise

wife Bride, London, currier, aged thirty-four years, depofes and fays, that he is the brother of Jonathan Collet, one of the parties in this caufe, and by his marriage with Anne Charlotte Collet, his wife, he came to know the faid Anne Charlotte Collet: that, after their marriage they lived and cohabited together for fome years, as lawful husband and wife, at their houfe in Cockspur Street, near the Hay-market, and at Lewifham in the county of Kent; and upon all occafions owned and acknowledged each other as husband and wife, and were fo commonly accounted, reputed, and taken to be; that they had one child, who was baptized by the name of Anne; that they fo lived and cohabited together for near four years, and on fome difagreement arifing between them, the faid Jonathan Collet, and Anne Charlotte Collet, his wife, feparated, and from that time did, and now do live feparate and apart from each other: and, during the time they fo lived together, the faid Jonathan Collet, as far as ever appeared to this deponent, upon all occafions treated the faid

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Anne

Anne Charlotte Collet, his wife, with great love, tenderness, and affection; and this deponent further saith, that, on Sunday, the first day of April last, he, this deponent, dined with his brother, the said Jonathan Collet, as he believes, and he communicated to this deponent, that he had heard of his wife, the said Anne Charlotte Collet, being with a man at some house, and laying there with such man; and in the evening of the said day, the said Jonathan Collet, attended by this deponent, and one Edward Chapman, and John Fennymore, went to a public-house kept by one Mrs. Gascoyne, known by the sign of the Lebeck's Head, near Brook's Market, in the county of Middlesex, and they all sat drinking there for some time; and after midnight, may be one or two o'clock in the morning, they all went up stairs and into a bed-chamber, and the deponent then saw a man in bed, a stranger to this deponent, with the said Anne Charlotte Collet; who at first to hide herself, pulled the sheet over her face; but the sheet being forced from her, the

the deponent plainly saw the said Anne Charlotte Collet in bed with such strange man, naked; and this deponent hath since seen such strange man, and hath heard and believes that his name is Branch; and the said Jonathan Collet, Edward Chapman, and John Fennymore, were then and there present with this deponent; and they the said Anne Charlotte Collet, and such strange man, whose name he believes to be Branch, had then had, as he verily believes, carnal knowledge of each other, and committed the crime of adultery together.

The same witness upon interrogatories.

To the first interrogatory, the nature of an oath, and the sin and danger of perjury, and the punishment due to a false witness, was explained to the witness, and he was admonished to give his testimony in this cause, candidly and impartially, without favour or affection to either party.

To the second interrogatory he answers, that he comes to be a witness in this cause, at the request of his brother, the producent; that he hath had no meetings or

consultations with him, or his agent, or solicitor, concerning his being examined.

To the third interrogatory he answers, that he hath not been taught, or instructed by any person, what to depose, or what he should not depose, or avoid deposing, in this cause; that the evidence he has now given is the truth, the whole truth, and nothing but the truth, without prejudice to the ministrant.

To the fourth interrogatory he answers, that, as far as he knows or believes, none of his fellow-witnesses have been taught or instructed by any person what to depose, or what they should not depose, or avoid deposing, in this cause.

To the fifth interrogatory he answers, that he has not, nor to his knowledge or belief, have any or either of his fellow-witnesses received, or been promised, and that he does not expect to receive any gratuity, reward, satisfaction, or present, for giving his evidence in this cause; and knows not, nor hath any reason to believe, that any of his fellow-witnesses expect any.

To

To the sixth interrogatory he answers, that he is brother to the producent, that before his marriage with the ministrant, he was clerk to a merchant, Mr. Burton, since deceased, who was governor of the bank; that his said brother was then in good credit, and not in indigent circumstances; that he now keeps a glass manufactory, and hath kept the same since such his marriage, that he believes the producent was not any ways versed or acquainted with his present business or calling, before his marriage with the ministrant.

To the seventh interrogatory he answers, that he is no ways acquainted with his brother's private affairs, or his gains in business, nor of the fortune he had with the ministrant, and therefore he cannot further answer the said interrogatory.

To the eleventh interrogatory he answers, that he hath heard the ministrant say that the producent did confine her, and he believes she was confined, but how long he knows not; but this respondent is ignorant of the transaction himself, as he did not visit them at that time.

To

To the thirteenth interrogatory he answers, that she the said Anne Charlotte Collet, the ministrant, is a woman of a very provoking temper, and the respondent hath seen her take a knife in her hand, and hold it towards the producent as if she was going to stab him; and when she hath abused him, and behaved in such a manner, the said Jonathan Collet, twice in the respondent's presence, hath struck her upon the back, and hath pulled her by the hair of her head, but did not drag her about the room: and this respondent never heard him say, or swear, that he would murder her; or that he would keep his wedding cloaths to be hanged in for her: that he believes the cause of the ministrant leaving the producent was, because she could not do just as she pleased, and get drunk and spend money as she pleased; and further he cannot answer the said interrogatory.

To the twentieth interrogatory he answers, that he heard the producent say, that he was at the Lebeck's Head, before the first day of April, 1770, which was on a Sunday; that the producent, whilst the ministrant

strant lived with him, generally went on Saturdays to Lewisham, to pay his workmen there, and generally staid till the Monday or Tuesday following; that, to the best of his remembrance, the producent was not at Lewisham on Sunday the first day of April last; and this respondent believes that he dined with him that day in London; that he knows not of his being sent for to Lewisham that evening, by any person to attend and surprize the said Anne Charlotte Collet in bed, at the Lebeck's Head, immediately after the said John Branch should be got to bed to her; or for any other purpose: and this respondent does believe, that, having heard that she used to go to that house, the said Jonathan Collet did, of his own accord, go there in order to detect her.

To the twenty-second interrogatory he answers, that he is brother to the producent, but not any ways indebted to him; that, by reason that this respondent saw the ministrant in bed with another man, he would therefore, if in his power, give the victory to the producent; that he does
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not believe, that if he should depose against the producent's interest, that he should be prejudiced thereby.

The witness was then admonished as directed.

THOMAS COLLET.

8th October, 1770.

The Deposition of Richard Hopkins.

RICHARD HOPKINS, of Lewisham, in the county of Kent, gardener to George Maish, Esq. aged fifty-six years, deposes and says, that for about, or near two years, he lived as a gardener in the service of Jonathan Collet, and Anne Charlotte Collet, his wife, the parties in this cause, at Lewisham, in the county of Kent, and thereby became acquainted with them; that they lived and cohabited together as lawful husband and wife, at Lewisham, and had one daughter named Anne; and, upon all occasions, they owned and acknowledged each other as lawful husband
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and wife, and were so reputed and taken to be, by their neighbours, friends, and acquaintance : and he further saith, that the said Anne Charlotte Collet, was frequently much in liquor, and very indecent in her behaviour, often pulling up her petticoats ; and this deponent well remembers, that on last Whitsun-Monday was two years, about seven or eight o'clock in the evening, the said Anne Charlotte Collet being there quite fuddled, run out into the fields like a mad-woman, without hat or cloak, and said she was going to fight a man, and told the deponent to follow her : he did not like much so to do, but she told him, upon his peril, to follow her ; and the deponent did slowly follow her, and she went from one meadow to another, and in one of the said meadows she met an officer, as the deponent believes, or a person in a red coat, and they had some conversation together, and very soon laid down upon the grass, and continued on the grass for some time together : and this deponent, not caring about the matter, and not being willing

to spoil their sport, did not go near them; and because he thought he might himself be in some danger from the officer, he, this deponent, therefore went towards home; but this deponent thought if she was not inclined she would soon call out: and the said Anne Charlotte Collet, and such strange man were so upon the grass for some time, tumbling about and in motion, and by reason thereof, and the deponent's knowing her disposition, and behaviour at other times, he does verily and in his conscience believe, that such man in a red coat then had carnal knowledge of the said Anne Charlotte Collet, and committed the crime of adultery with her: and the said Anne Charlotte Collet did not return home till between twelve and one o'clock in the morning; and such person in a red coat came the next night, or the night after, about eight o'clock, to the said Jonathan Collet's house, and continued alone with the said Anne Charlotte Collet, locked up in a parlour belonging to his house, and they then had, as this deponent believes, carnal knowledge of each



*M^{rs} Collet discovered in a field in an extraordinary
Situation with a stranger.*

See N^o 29, p. 17 of Trials for Adultery.

Published as the Act directs by S. Bladon, 23 Sept. 1780.

each other, and committed the crime of adultery together.

The same witness upon interrogatories.

To the first interrogatory, the nature of an oath, and the sin and danger of perjury, and the punishment due to a false witness, was explained to the witness, and he was admonished to give his testimony in this cause candidly and impartially, without favour or affection to either party.

To the second interrogatory he answers, that he comes to be a witness in this cause, at the request of the producent, and was applied to by him about seven or eight weeks ago, to attend to tell what he knew, and be sworn as a witness afterwards, and that he had no meetings or consultations with the producent, his brother, agent, or solicitor, concerning his being examined.

To the third interrogatory he answers, that he has not been taught or instructed by any person what to depose, or what he should not depose, or avoid deposing in this cause: that the evidence he has

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now given, is the truth, the whole truth, and nothing but the truth, without prejudice to the ministrant.

To the fourth interrogatory he answers, that, as far as he knows, or believes, none of his fellow-witnesses have been taught or instructed by any person what to depose, or what they should not depose, or avoid deposing in this cause.

To the fifth interrogatory he answers, that he has not, nor to his knowledge or belief have any, or either of his fellow-witnesses, been promised, and he does not expect to receive any reward, gratuity, satisfaction, or present, for giving his evidence in this cause, otherwise than for his loss of time, and expences occasioned by his attendance.

To the sixth interrogatory he answers, that he hath known the producent between three or four years, and became acquainted with him by going to live in his service; that he hath heard and believes, that the producent was clerk to somebody before his intermarriage with the ministrant; that he is now a glass manufacturer, and
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got into the business by his marriage with the ministrant; and he believes he was not any ways versed, or acquainted with his present business, or calling, before such his intermarriage with the ministrant.

To the seventh interrogatory he cannot answer.

To the eighth interrogatory he answers, that last Whitsun-Monday was two years, he did see the said Anne Charlotte Collet, and a strange man in a scarlet or red coat, lay down together on the grass in a meadow, near Lewisham, in the county of Kent: that they seemed to act very much like as if they committed adultery together; but he cannot take upon himself to swear, that he saw them in the act of carnal copulation together; but this respondent has many reasons to suppose that they were guilty of adultery, she the said Anne Charlotte Collet being a very bad woman, very indecent in her behaviour, frequently pulling up her petticoats, and otherwise behaving in a very indecent manner; and because she, being a married woman, laid upon the grass with a strange man, and
because

because such strange man came again the next evening to the said Jonathan Collet's house, and was locked up with her alone in the parlour for some time.

To the ninth interrogatory he answers, that the said Jonathan Collet, and Anne Charlotte Collet, his wife, lived together after the transaction by him mentioned, in his answer to the next preceding interrogatory, and continued to live together till the time the respondent left their service which was in the month of August, 1768.

To the tenth interrogatory he answers, that he is not now in the service of the said Jonathan Collet; that the said Jonathan Collet is not a person of a cruel and malignant temper and disposition; that he hath seen him strike the said Anne Charlotte Collet, but not he thinks to hurt her: but that she always began first, throwing knives and forks, and any thing she could meet with, at him; and this respondent saith, that the said Jonathan Collet did never treat her with cruelty, but merely in defence of himself, on account of her outrageous behaviour; breaking
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ing china and glass, and throwing any thing that came in her way.

To the eleventh interrogatory he answers, that, for a week or a fortnight, he hath heard the said Jonathan Collet confined the ministrant in a mad-house, because she was so constantly drunk, and so unruly, that she could not be kept in any kind of order; and further he cannot answer the said interrogatory.

To the twelfth interrogatory he answers, the said Anne Charlotte Collet was guilty of drinking to a very great excess, frequently drinking a quart of brandy in a day, and was thereby so vicious, and unruly, that there was no possibility of managing her: and the respondent remembers being called in to assist the said Jonathan Collet, and finding three ribs of beef, the salts, knives and forks, and plates, on the floor, and the said Anne Charlotte Collet very drunk, and the said Jonathan Collet borrowed the respondent's handkerchief, and tied her hands behind her, but she soon got loose again; and afterwards he chained her with a little jack-chain to
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the floor, but she soon got loose; and he afterwards chained her with the same chain for near a fortnight; that she got loose sometimes, and he let her loose upon her promise of behaving better; but when she got loose she would throw the first thing she met with at the said Jonathan Collet; and then he said she should suffer, and confined her again; but she did not seem to mind it, and contrived to get loose; and further this respondent cannot answer the said interrogatory.

To the twentieth interrogatory he answers, that he left the service of the said Jonathan Collet, upwards of two years ago; that whilst the respondent lived with him, and the ministrant, he generally come of a Saturday night to settle with his men, and staid till Monday; and further to the said interrogatory he cannot answer.

To the twenty-second interrogatory he answers, that, if in his power, he would give the victory to the producent, because he thinks the ministrant scarce fit to live, or die, or fit for a wife for any man: that
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he is not any ways related or indebted to the producent; and does not believe that if he should depose contrary to his interest, that he should be prejudiced thereby.

The witness was then admonished as directed.

RICHARD HOPKINS,

9th October, 1770.

The Deposition of John Fennymore.

JOHN FENNYMORE, of Great Suffolk Street, Charing Cross, in the parish of St. Martin in the Fields, in the county of Middlesex, peruke-maker, aged thirty years, deposes and says, that he well knows Anne Charlotte Collet, party in this cause, and hath so known her for several years last past; and knew her by sight when she was the wife of Mr. Thomas Betts, deceased, who kept a glass-shop in Cockspur Street, near the Hay-market: and this deponent also knows Jonathan Collet, the

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other party in this cause, her present husband, and so came to know him by his marriage with the said Anne Charlotte Collet, and his coming to live in Cockspur Street aforesaid: that some time afterwards he employed this deponent in his business of a peruke-maker and hair-dresser, and this deponent frequently attended him; that they lived together as man and wife, and upon all occasions owned and acknowledged each other as lawful husband and wife, and were so commonly accounted, reputed, and taken to be, by their neighbours, friends, and acquaintance: that they had a daughter, named Anne, whom the deponent believes is now living: and he further saith, that, on Sunday evening, the first day of April last, the said Jonathan Collet called upon this deponent, and desired him to go out with him for an hour or two, and this deponent went with the said Jonathan Collet, his brother Thomas Collet, and one Mr. Chapman, a stranger to this deponent, to a public-house kept by one Mrs. Gascoyne, known by the sign of the
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Lebeck's Head, near Brook's Market, in Holborn; and, whilst they were there, the said Jonathan Collet mentioned to this deponent, that he had received information that his wife, the said Anne Charlotte Collet, had been at the said house with some man, and that she was to be there that night; and that he desired the deponent to be a witness: and this deponent saith, that they staid there some time, and the said Anne Charlotte Collet coming down stairs, they went into the beer cellar to hide themselves; and, afterwards finding the house quiet, the said Jonathan Collet, his brother Thomas Collet, this deponent, and the said Mr. Chapman, about one o'clock in the morning, went up stairs into a bed-chamber where the deponent, and the said Jonathan Collet, Thomas Collet, and Mr. Chapman, discovered the said Anne Charlotte Collet, and a strange man naked and in bed together, whose name this deponent hath since heard and believes to be Branch; that he seemed much surpris'd, and said, the said Anne Charlotte Collet was his wife; but

the said Jonathan Collet said she was his wife, and that he should know she was so: and this deponent saith, that by reason that this deponent so found the said Anne Charlotte Collet, and the said strange man, whose name he believes to be Branch, naked in bed together, he does therefore believe that they had carnal knowledge of each other, and committed the crime of adultery.

The same witness upon interrogatories.

To the first interrogatory, the nature of an oath, and the sin and danger of perjury, and the punishment due to a false witness, was explained to the witness, and he was admonished to give his testimony in this cause candidly and impartially, without favour or affection to either party.

To the second interrogatory he answers, that he comes to be a witness in this cause, at the request, and upon the application of the producent, on the first of April last, that he hath not had any meetings or consultations with the producent, his agent,

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or solicitor, or his brother, concerning his being examined.

To the third interrogatory he answers, that he has not been taught, or instructed, by any person what to depose, or what he should not depose, or avoid deposing in this cause; that the evidence he has now given is the truth, the whole truth, and nothing but the truth, without prejudice to the ministrant.

To the fourth interrogatory he answers, that, as far as he knows and believes, none of his fellow-witnesses have been taught or instructed by any person what to depose, or what they should not depose, or avoid deposing in this cause.

To the fifth interrogatory he answers, that he has not, nor to his knowledge or belief, have any or either of his fellow-witnesses received, or been promised, and that he does not expect any reward, gratuity, satisfaction, or present, for giving his evidence in this cause, nor does he know or believe that any of his fellow-witnesses expect any.

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To the sixth interrogatory he answers, that he hath known the producent about five years, and came so to know him by his coming to live in Cockspur Street, near the Hay-market; that he hath heard, before his intermarriage with the ministrant, that he was clerk to a merchant in King's-Arms Yard, Coleman Street, but the respondent does not know in what circumstances he was then in; that he is now a glass manufacturer, and hath been so since his intermarriage with the ministrant, and he believes he was not any ways versed, or acquainted, with his present business, or calling, before such his intermarriage with the ministrant.

To the twenty-second interrogatory he answers, that he would give the victory, if in his power, to the producent, because he thinks he has been injured; that he is not any ways related or indebted to the producent in this cause, and does not believe that if he should depose contrary to his interest, that he should be prejudiced thereby.

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The witness was then admonished as directed,

JOHN FENNYMORE,

9th October, 1770.

The Deposition of William Stock.

WILLIAM STOCK, of Lewisham, in the county of Kent, foreman to Jonathan Collet, party in this cause, aged thirty-nine years, deposes and says, that he hath known Anne Charlotte Collet, party in this cause, several years, and so knew her in the life-time of her late husband, Mr. Thomas Betts, deceased, to whom the deponent was foreman in his business of a glass manufacturer; and by the said Anne Charlotte Collet's marriage with Jonathan Collet, party in this cause, this deponent came to know the said Jonathan Collet: that after their marriage they lived and cohabited together at bed and board, as lawful husband and wife, at their house in Cockspur Street, near the Hay-market; and

at Lewisham, in the county of Kent; and whilst they lived at Lewisham, they had a daughter baptized by the name of Anne, as their daughter; and the deponent believes she is still living, and for and as lawful husband and wife, they constantly owned and acknowledged each other, and were so commonly accounted, reputed, and taken to be, amongst their relations, neighbours, friends, and acquaintance: and this deponent saith, that the said Anne Charlotte Collet is a very loose abandoned woman, much addicted to drinking and swearing, and of a very lustful, wicked disposition, as he verily believes: that some words passing between her and the said Jonathan Collet, they agreed to live separate from each other, and so separated some time in or about the month of September, 1769; and they have ever since continued, and now do live separate and apart from each other; and the said Jonathan Collet hath never since, as he verily believes, lived and cohabited with the said Anne Charlotte Collet, his wife: that whilst they did live together, the said Jonathan
Collet

Collet always behaved with great affection to the said Anne Charlotte Collet, but she always began to quarrel and abuse him, and then words passed between them.

The same witness upon interrogatories.

To the first interrogatory, the nature of an oath, and the sin and danger of perjury, and the punishment due to a false witness, was explained to the witness, and he was admonished to give his testimony in this cause candidly and impartially, without favour or affection to either party.

To the second interrogatory he answers, that he comes to be a witness in this cause at the request of the producent, and was first applied to by him a few days before he was sworn; that he hath had no meetings or consultations with the producent, or Thomas Collet, his brother, or his agent, or solicitor, concerning his being so examined.

To the third interrogatory he answers, that he has not been taught or instructed by any person what to depose, or what

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he should not depose, or avoid deposing, in this cause; that the evidence he has now given in is the truth, the whole truth, and nothing but the truth, without prejudice to the ministrant.

To the fourth interrogatory he answers, that, as far as he knows or believes, none of his fellow-witnesses have been taught or instructed by any person what to depose, or what they should not depose, or avoid deposing in this cause.

To the fifth interrogatory he answers, that he has not, nor to his knowledge or belief, have any or either of his fellow-witnesses received or been promised, and that he does not expect to receive any reward, gratuity, satisfaction, or present, for giving his evidence in this cause; and that he knows not that any of his fellow-witnesses expect any.

To the sixth interrogatory he answers, that he hath known the producent about five years, and came first to know him by his coming with the ministrant to Lewisham, about a week before his marriage with her; that he hath heard and believes
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that the producent was clerk to somebody in the city, but whose name he cannot now recollect, before his marriage with the ministrant: that he cannot say any thing as to his circumstances at that time; that he is now a glafs-seller, and hath followed that business ever since his marriage with the ministrant; that he was not any ways versed or acquainted with his present business or calling, before such his marriage with the ministrant.

To the seventh interrogatory he answers, that he believes the producent did succeed to a fortune of near five thousand pounds, in right of the ministrant, on such his intermarriage; that he believes the freehold is about fifty pounds a year: but he cannot say the value of the leasehold estates, occupied by the producent in the Hay-market, or that at Lewisham, in Kent, or Twickenham, in Middlesex; that he cannot say what he returns in the year by his business, or hath upon an average returned for five years last past, as he hath nothing to do with his books in London: that he cannot pretend to say

at all what he clears yearly by his business and estates, nor further answer the said interrogatory.

To the eleventh interrogatory he answers, that he cannot be certain as to time, but it might be about the latter end of the year 1766, that the said Anne Charlotte Collet, and the said Jonathan Collet, had words together, and she threatned to murder the said Jonathan Collet: and, to avoid her, he on Saturday night went to London, between nine and ten o'clock at night, and left directions to prevent her following him; but she went on Sunday to London, and this respondent heard, that on the Sunday she was conveyed to the house of one Mr. Allwright, or some such name, a private mad-house in Lambeth Marsh, and there confined; and she continued till the Sunday following; when this respondent, by the desire of the producent, telling this respondent, that notwithstanding her bad behaviour, he could not bear she should be there, meaning at the said mad-house, he fetched her from thence to his said house

house at Lewisham aforesaid; and the only reason, he believes, that the said Jonathan Collet let her out, was because he could not bear her being there; and further he cannot answer the said interrogatory.

To the twelfth interrogatory he answers, that the said Anne Charlotte Collet was at the house of the said Jonathan Collet, at Lewisham, chained two or three times, sometimes for a week together, to the floor, with a chain about the size of the little finger; and she was so kept chained, may be for a week together, to prevent her doing the said Jonathan Collet a mischief, and from breaking the glasses, doors, and doing all sorts of mischief: that he heard the ministrant say, that the producent had attempted to cut her throat, and there was a scratch in her neck; but this respondent thinks that she would cut her own hand off, to prevent her being detected in a lie herself: that the producent never encouraged this respondent, or to his knowledge any of his servants, to treat the ministrant with insolence, to spit in her face, or strike her.

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To the thirteenth interrogatory he answers, that the producent never used the ministrant ill till she began first; and then, by her behaviour, he hath been provoked to strike her, and pull her hair, and hath pulled her about the room, but not by her hair, when she has been as drunk as poison, and could not stand: and this respondent saith, that it was no ways necessary for the ministrant to withdraw herself for the preservation of her life, for the producent at all times used her well, till she began to quarrel and abuse him: and further he cannot answer the said interrogatory.

To the twentieth interrogatory he answers, that the producent frequently used to come of a Saturday to Lewisham, and sometimes stay till Monday, but this respondent does not know that he was at Lewisham on Sunday, the first day of April last, and further he cannot answer the said interrogatory,

To the twenty-second interrogatory he answers, that, if in his power, he would give the victory to the producent, but

not for any particular reason; that he is not any ways related or indebted to the producent; and he does not believe that if he should depose contrary to his interest, that he should be prejudiced thereby.

The witness was then admonished as directed.

WILLIAM STOCK.

11th October, 1770.

The Deposition of John Carmichael.

JOHN CARMICHAEL, clerk to Jonathan Collet, party in this cause, aged twenty-seven years, deposes and says, that he now is, and for upwards of four years last past, hath been clerk to Jonathan Collet, one of the parties in this cause; and that, during that time, he hath known Anne Charlotte Collet, his wife, the other party in this cause: that they lived and cohabited together, at bed and board, as lawful husband and wife, at
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the houses of the said Jonathan Collet, in Cockspur Sreet, near the Hay Market, and at Lewisham, in the county of Kent; and had one daughter named Anne, who is now living; and for, and as lawful husband and wife, the said Jonathan Collet and Anne Charlotte Collet, constantly owned and acknowledged each other, and were so commonly accounted, reputed, and taken to be, amongst their relations, neighbours, friends, and acquaintance; and they so lived and cohabited together till about fifteen months ago, when some disagreements arising between them, they agreed to separate, and accordingly the said Jonathan Collet, and Anne Charlotte Collet, his wife, hath ever since lived separate and apart from each other: and the said Anne Charlotte Collet went to reside at Hampstead, in the county of Middlesex: and he further saith, that the said Anne Charlotte Collet is a very loose abandoned woman, very much addicted to drinking, and is of a very lustful and wicked disposition: and this deponent saith, that on Sunday, the first day of
April

April last, he believes as to time, he this deponent went with the said Jonathan Collet, his brother Thomas Collet, John Fennymore, and Edward Chapman, to a public-house kept by one Mrs. Gascoyne, known by the sign of the Lebeck's Head, in Brook's Market, Holborn, in the county of Middlesex, where they staid some time, till they thought the said Anne Charlotte Collet was in bed; the said Jonathan Collet having received information that she was to be there that night, to lay with the same man: that about or between one and two o'clock in the morning, the said Jonathan Collet, Thomas Collet, Edward Chapman, John Fennymore, and this deponent, went up stairs into a bed-chamber at the said house, and then and there discovered the said Anne Charlotte Collet, and a strange man, whose name this deponent hath since heard was Branch, naked in bed together; and this deponent saith, that the door of the said room was forced open, the same being bolted; and the said man, whose name he believes to be Branch, was very much frightened; info-

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much that the deponent observed tears to drop from him : and the said Anne Charlotte Collet was much confused, and, by reason of the premises, this deponent does believe that the said Anne Charlotte Collet, and such strange man, had then had carnal knowledge of each other, and committed the crime of adultery together.

JOHN CARMICHAEL.

17th October, 1770.

The Deposition of Enoch James.

ENOCH JAMES, of Lewisham, in the county of Kent, glass-cutter, aged thirty years, deposes and says, that he hath known Anne Charlotte Collet, party in this cause, for about eight years, and came so to know her in the life-time of her late husband, Thomas Betts, deceased, to whom the deponent served his apprenticeship; that he now works for Jonathan Collet, party in this cause, in his business of a glass-cutter, and hath known the said
Jonathan

Jonathan Collet, for about, or between three and four years ; that the said Jonathan Collet, and Anne Charlotte Collet, his wife, lived and cohabited together at Lewisham, in the county of Kent, and at his house in Cockspur Street, near the Hay-market, as lawful husband and wife ; that they had one daughter named Anne, who is now living ; and for and as lawful husband and wife, they the said Jonathan Collet, and Anne Charlotte Collet, his wife, constantly owned and acknowledged each other, and are so commonly accounted, reputed, and taken to be, by their relations, neighbours, friends, and acquaintance : and the said Anne Charlotte Collet is a woman of a very abandoned disposition, very much addicted to drinking, and frequently was guilty of many indecencies, whilst she lived, as well with her late husband, as with her present husband ; such as kissing some of the workmen, shewing her bosom, and her legs, and frequently behaving indecently, when in liquor ; and drinking obscene toasts ; and the deponent hath seen her upon a

bed with one William Shoulter, who worked with the said Mr. Collet, but is not now in his service, and further he cannot depose.

ENOCH JAMES.

*Charges alledged on the part and behalf of
Anne Charlotte Collet, against her hus-
band, Jonathan Collet.*

First, That the said Anne Charlotte Collet was, and is the lawful relict of Thomas Betts, late of Cockspur Street, in the parish of St. Martin in the Fields, glass-cutter, deceased; that the said Thomas Betts died about the eighth of January, 1765, intestate, and without a child, possessed of a personal estate to the amount of twelve thousand pounds, eleven thousand pounds, or at least ten thousand pounds; leaving behind him the said Anne Charlotte Collet, (then Betts) his widow, and John Soldan, his nephew, and only next of kin, and the only persons intitled

intituled in distribution to the personal estate of the said deceased; and the said Anne Charlotte Collet was by a certain Act of Parliament, passed in the twelfth and thirteenth years of Charles the Second, legally entitled to one moiety, or full half part of the whole surplufage of the personal estate of the said Thomas Betts, deceased, as his widow and relict; which moiety amounted to upwards of five thousand pounds.

Second, That the said Jonathan Collet is a person of a very mean parentage, and was for several years maintained, educated, and cloathed on charity, in Christ's Hospital, London, and was, by the governors of that hospital, put forth an apprentice to one Mr. Vines, a shop-keeper at Wooten Underhedge, in the county of Gloucester, who provided him with cloathing during his apprenticeship; and, soon after the expiration thereof, he came to London, and went to live with Mr. Bartholomew Burton, a merchant, as an under-clerk, at the yearly wages of twenty pounds; and continued to serve him for the same wages,

wages, until his marriage with the said Anne Charlotte Collet.

Third, That on or about the fourteenth of February, 1765, the said Anne Charlotte Collet, (then Betts) was married to the said Jonathan Collet, who was then in such distressed circumstances, that he had not money or credit sufficient to procure his wedding cloaths; but was furnished with money for that purpose by the said Anne Charlotte Collet; and the whole fortune and property that the said Jonathan Collet is now possessed of, is in right of the said Anne Charlotte Collet, his wife.

Fourth, That, after the marriage of the said Anne Charlotte Collet, and Jonathan Collet, (to wit) on or about the sixth of April, 1765, letters of administration of all the goods, chattels, and credits of the said Thomas Betts, deceased, were, by the authority of the prerogative court of Canterbury, granted to the said Anne Charlotte Collet; and thereupon, the said Jonathan Collet, in right of Anne Charlotte Collet, his wife, possessed himself of, or (being before possessed) continued in the possession
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of the said Anne Charlotte Collet's distributive share of the surplufage of the personal estate of the said Thomas Betts, deceased; and also continued, and now continues in the possession of the valuable and profitable manufactory of cut, polished, and other glass ware, formerly carried on by the said Thomas Betts, deceased, and carries on the same to his great advantage, profit, and emolument; though he hath not, either before or since his marriage with the said Anne Charlotte Collet, made any settlement on her, which is to take place during his life; but hath only given a bond, to some person, on behalf of the said Anne Charlotte Collet, to secure to her the payment of two thousand five hundred pounds in case she should survive him, but not otherwise.

Fifth, That the said Jonathan Collet is now possessed of, in right of the said Anne Charlotte Collet, his wife, a messuage or tenement in Cockspur Street, for the remainder of a term of twenty-nine years, two months, and twenty-one days from Midsummer, 1752, held under a lease
from

from John Rowlls, Esq. at the yearly rent of five pounds, of which term there were about eleven years unexpired at Midsummer last past; and the said Jonathan Collet doth now dwell in the same, and carries on the glass manufactory therein; and the same is an old accustomed shop of great trade, and is now really worth (to be let) the sum of two hundred pounds, one hundred and eighty pounds, one hundred and sixty pounds, or at least one hundred and fifty pounds yearly; and the said premises are now really worth (to be sold for the remainder of the term) the sum of one thousand pounds, nine hundred pounds, or at least eight hundred pounds; and so much, divers persons in the glass trade are ready and willing to give for the same.

Sixth, That the said Jonathan Collet is also possessed, in right of his said wife, of a parcel of waste ground, containing seventeen acres, upon Hounslow Heath, and also of one messuage called the Warrenhouse, and other premises, for the remainder of a term of fifty years, from the

twenty-fifth of April, 1775, held by lease from the Duke and Duchess of Northumberland, at the yearly rent of fifty-five pounds: and the said Jonathan Collet is now also possessed, in right of his said wife, of a brick messuage or tenement, stable, and garden plot, and the ground lately occupied as a coney-warren, and other premises thereto belonging, in the parish of Twickenham, for the remainder of a term of forty-seven years, from Midsummer, 1758, held on a lease from Lord Feverham, at the yearly rent of forty pounds, which premises were part of the personal estate of the said Thomas Betts; and the whole reserved rent of all the said premises amounts to ninety-five pounds; and all such premises are now let on lease to George Merchant, for the remainder of the said Thomas Betts's term, at the yearly rent of one hundred and thirty pounds, clear of all taxes, &c. and produce a clear yearly rent of forty-seven pounds to the said Jonathan Collet; and the same were and are worth (to be sold) the sum

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of eight hundred pounds, seven hundred pounds, or at least six hundred pounds.

Seventh, That the said Jonathan Collet, in right of his said wife, is now also possessed of a certain piece of ground at Lewisham in Kent, with the use of the river Thane, for the remainder of a term of sixty years, from Michaelmas, 1756, held under a lease from Lord Sondes, at the yearly rent of fifty pounds; on which premises there are now standing a dwelling-house, out-houses, stables, coach-house, and other offices and buildings, and also mills for cutting and polishing glass; and the said Jonathan Collet doth now occupy the same, and carry on the said glass manufactory therein; and all the aforesaid premises are really worth (to be lett) the sum of two hundred pounds, or at least one hundred and eighty pounds yearly; and all the aforesaid premises are now really and truly worth (to be sold for the remainder of the term now to come therein) the sum of three thousand six hundred pounds, three thousand pounds, or at least two thousand eight hundred pounds;

pounds; and so much divers persons in the glass trade are ready and willing to give for the same.

Eighth, That the said Jonathan Collet is possessed of a very considerable stock in trade, in his houses in Cockspur Street, and at Lewisham; and also of a very large quantity of tools, engines, utensils, &c. to the amount of the sum of three thousand, two thousand five hundred, or at least two thousand pounds; and so much, many persons in the glass trade were and are ready and willing to give for the same.

Ninth, That the said Jonathan Collet is now possessed, in right of his wife, of a very large stock of silver plate, which is now really and truly worth (to be sold) the sum of three hundred and fifty, three hundred, or at least two hundred and fifty pounds.

Tenth, That the said Jonathan Collet is now also possessed, in right of his wife, of a very large quantity of rich and elegant household goods, table-linen, books, &c. in and about the aforesaid houses in Cockspur Street, and Lewisham; and also some

live and dead stock at Lewisham aforesaid, which are now really and truly worth (to be sold) the sum of one thousand five hundred pounds, one thousand two hundred pounds, or at least one thousand pounds.

Eleventh, That the said Jonathan Collet is now also possessed, in right of his said wife, or by him acquired by the use and employment of her aforesaid fortune; and is now really worth, after payment of all his debts, in stock or annuities in some or one of the public funds, cash at his bankers, and in his own hands, money lent by him on bonds, or other good securities, good debts in trade, and other personal estate (not before-mentioned) the sum of four thousand pounds, three thousand five hundred pounds, or at least three thousand pounds.

Twelfth, That the said Jonathan Collet, ever since his marriage to the said Anne Charlotte Collet, his wife, hath carried on, and doth now carry on a very large and considerable trade or manufactory in cut, polished, and other glass ware; and
hath

hath during that time acquired, and doth now yearly acquire by his trade or business, a clear profit of two thousand pounds, one thousands seven hundred and fifty pounds, or at least one thousand five hundred pounds, after payment of his servants wages, and reserved house-rent and taxes.

Thirteenth, That the said Jonathan Collet doth now keep a chaise, and a horse to draw the same; and also a saddle-horse, for his pleasure and recreation; and doth also keep one man and two women domestic servants, and lives in a genteel elegant manner, at a considerable expence, and hath only one child, (to wit) a daughter, of the age of four years and an half, by the said Anne Charlotte Collet, to provide for.

Fourteenth, That all and singular the premises are true.

INTER.

INTERROGATORIES to be administered on the part and behalf of Anne Charlotte Collet, of the parish of Hampstead, in the county of Middlesex, and diocese of London, the lawful wife of Jonathan Collet, to the several pretended witnesses produced, or to be produced, sworn and examined on the several positions, or articles of a certain pretended libel given in, and admitted in this cause, on the part and behalf of the said Jonathan Collet, of the parish of St. Martin in the Fields, in the said county of Middlesex, and diocese of London, in a certain pretended cause of separation, or divorce, from bed, board, and mutual cohabitation, by reason of adultery promoted by the said Jonathan Collet, against the said Anne Charlotte Collet, follow (to wit)

First, Let the nature of an oath, and the sin and danger of perjury, and the punishment due to a false witness be explained

plained to each witness, and then let each witness be admonished to give his or her testimony in this cause, candidly and impartially, without favour or affection to either party.

Second, Let each witness be asked, At whose request do you come to be a witness in this cause, and when and by whom was you first applied to for that purpose? Have you had any and how many meetings or consultations with the producent, or Thomas Collet, his brother, or his agent, or solicitor, concerning your being so examined? When and where were such meetings held, and who were present thereat, what passed at such meetings or consultations? Set forth the same particularly according to the best of your recollection and belief, and remember you are upon your oath.

Third, Let each witness be asked, Have you not been taught or instructed by some person, and who by name, what to depose, or what you should not depose, or avoid deposing in this cause; and is the evidence you have now given the truth, the whole

truth, and nothing but the truth, without prejudice to the ministrant, or is the same pursuant to such instructions you have received, or wherein do the same differ? Set forth the same at large, according to the best of your recollection and belief, and remember you are upon your oath.

Fourth, Let each witness be asked, Have any or either, and which of your fellow-witnesses, to your knowledge or belief, been taught or instructed by any person, and who by name, what to depose or avoid deposing in this cause? Set forth the instruction such witness received, and whether by word of mouth, or writing, and how the same came to your knowledge, and remember you are upon your oath.

Fifth, Let each witness be asked, Have you, any, or either, and which of your fellow-witnesses (to your knowledge or belief) received, been promised, or do expect to receive any and what reward, gratuity, satisfaction, or present, for giving your or their evidence in this cause, and from whom by name? Have you or they received, or do expect to receive the same?

same? Set forth all that you know, believe, or have heard, concerning the matter inquired after by this interrogatory, according to the best of your recollection and belief, and remember you are upon your oath.

Sixth, Let each witness be asked, How long have you known, and upon what occasion became you acquainted with the producent? What business, profession, or occupation, did the producent exercise or follow before his intermarriage with the ministrant? Was, or was he not a clerk to a merchant, and who by name, immediately before such his intermarriage, and in very low and indigent circumstances? What business or occupation does he now profess, and how long has he occupied and professed the business he is now engaged in; and was the producent to your knowledge or belief, any ways versed or acquainted with his present business or calling, before such his intermarriage with the ministrant? Remember you are upon your oath.

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Seventh,

Seventh, Let William Stock, Richard Hopkins, Edward Chapman, Thomas Collet, be asked, What fortune in money, stock in trade, and freehold or leasehold estates, did the producent succeed to in right of the ministrant on such his intermarriage, as you know, believe, or have heard? Set forth all the neat yearly value of the freehold and leasehold estates, particularly the house now occupied by the producent in the Hay-market, in the parish of St. Martin in the Fields, that at Lewisham, in the county of Kent, and that at Twickenham, in the county of Middlesex, as you know, believe, or have heard? And what sum of money does the producent return in the year by his business, or has returned on an average for five years last past? Set forth the yearly profit of such his business, and income of such estates, as you know, believe, or have heard? Does not the producent clear every year three thousand pounds, two thousand pounds, or at least one thousand five hundred pounds, by such his manufactory, or business, and produce of such estates, and
has

has he not on an average for five years last past cleared three thousand pounds, two thousand pounds, or at least one thousand five hundred pounds a year, as you know, believe, or have heard? Set forth all that you know or believe, concerning the matters inquired after by this interrogatory, according to the best of your recollection, and remember you are upon your oath.

Eighth, Let Richard Hopkins be asked, If you did at any time in the summer of the year 1767, or at any other time, see the said Anne Charlotte Collet, and any strange man in a scarlet or red coat, lay down together on the grass, in a meadow near Lewisham, in the county of Kent? How do you know that such man in the scarlet or red coat, and the said Anne Charlotte Collet, committed adultery together? Can you positively take upon you to swear that you saw them in the act of carnal copulation together, and if you did not see them in that act, what reason have you to suppose they were guilty thereof? Remember you are upon your oath.

Ninth, Let the said Richard Hopkins be asked, Was it not upwards of two years before the separation of the said Jonathan Collet, and Anne Charlotte Collet, that you saw her the said Anne Charlotte Collet, and such man in the scarlet or red coat, in the meadow together, and did not they the said Jonathan Collet, and Anne Charlotte Collet, from and after that time, and until in or about September, 1769, live, cohabit, and lay together as husband and wife, and if they did not, what was the reason they did not? Set forth all that you know concerning the matters inquired after by this interrogatory, and remember you are upon your oath.

Tenth, Let the said Richard Hopkins be asked, Are you not a servant of the said Jonathan Collet's, and how long have you lived with him? Do you not know that the said Jonathan Collet is a person of a very cruel and malignant temper and disposition, and have you not frequently, or sometimes, and how often seen him strike the said Anne Charlotte Collet, his wife, many or some very violent and dangerous blows

blows on some, and what parts of her body and otherwise, and in what manner treat her with very great cruelty? Set forth all that you know concerning the matters inquired after by this interrogatory, according to the best of your recollection and belief, and remember you are upon your oath.

Eleventh, Let the said Richard Hopkins, Thomas Collet, William Stock, be asked, Do you not know, or have you not heard, or believe, that some time in or about the latter end of the year 1766, and whilst the said Anne Charlotte Collet was in her perfect senses, the said Jonathan Collet by force or fraud, caused the said Anne Charlotte Collet to be conveyed to the house of Mr. Albright, a private mad-house, in Lambeth Marsh, and caused her to be confined there for some time, and how long, and what was the reason he let her out? Was it not because there was a necessity for her personal appearance in the court of Chancery? Set forth all that you know, believe, or have heard, concerning the matters inquired after by this interrogatory,

gatory, according to the best of your recollection, and remember you are upon your oath.

Twelfth, Let the said Richard Hopkins and William Stock, be asked, Do you not know that whilst you lived with the said Jonathan Collet, and about what time particularly, he, the said Jonathan Collet, chained the said Anne Charlotte Collet to the floor, of one of his houses, either at London or Lewisham, with a large heavy chain, and did not you assist him therein, and do you not know that the said Anne Charlotte Collet was kept chained to the floor, with such large chain upon her, for upwards of three weeks, or some other great length of time, and do you not also know, believe, or have heard, that whilst you so lived with the said Jonathan Collet, and about what time particularly, he attempted to cut her the said Anne Charlotte Collet's throat with a case knife, and did actually gash and wound her neck or throat, and that the scars or scar are now to be seen, and do you not know, believe, or have heard, that the said Jonathan Collet

Collet has encouraged, and even ordered you and his other servants to treat his said wife with great insolence, to spit in her face, and even strike her? Set forth all that you know, believe, or have heard, concerning the matters inquired after by this interrogatory, according to the best of your recollection, and remember you are upon your oath.

Thirteenth, Let Thomas Collet, and William Stock, be asked, Do you not know that on or about the twenty-fourth day of September, 1769, being a few days before the said Jonathan Collet, and Anne Charlotte Collet separated, the said Jonathan Collet quarrelled with his wife, and struck her several blows, dragged her several times round the room by the hair of her head, tore her clothes off her back, and with many horrid oaths and imprecations, swore he would murder her, and often declared he would keep his wedding-clothes to be hanged in for her, and do you not know, believe, or have heard, that such cruel treatment was the true cause why the said Anne Charlotte Collet withdrew

drew herself from her said husband, and that it was absolutely necessary, that she should so withdraw herself for the preservation of her life? Set forth all that you know, have heard, or believe, concerning the matters inquired after by this interrogatory, according to the best of your recollection, and remember you are upon your oath.

Fourteenth, Let Catherine Gascoyne, Sarah Gascoyne, and Anne Gascoyne, be asked, On what day of the week did the twenty-fifth day of March last happen? Did not the said Anne Charlotte Collet on the said twenty-fifth day of March, lodge at the house of Mr. Thomas Bryan, situate in Pond Street, Hampstead, and did or did not the said Anne Charlotte Collet, on the next day, being the twenty-sixth day of the said month of March, quit her said lodgings at Mr. Bryan's, and took lodgings at the house of ——— Barrow, in Hampstead, aforesaid? Set forth all that you know or believe, concerning the matters inquired after by this interrogatory, according

according to the best of your recollection, and remember you are upon your oath.

Fifteenth, Let the said Catherine Gascoyne be asked, Do you not know, and are acquainted with Mary Bryan, (wife of Mr. Thomas Bryan) of Pond Street, Hampstead, at whose house the said Anne Charlotte Collet went to lodge and board, after her separation from her husband, and did not you visit her several and how many times, at least once before the first day of April, 1770, and did not you at some or one of such times, enquire of the said Mary Bryan, if any man had ever lain or been in bed with the said Anne Charlotte Collet, whilst she so lodged at the said Mr. Bryan's house, or to that or some such like effect; and did not the said Mary Bryan answer; that she never knew or heard of any such thing, and did not you tell the said Mr. Bryan, that Mr. Collet, thereby meaning Jonathan Collet, party in this cause, would not value giving, and would give one hundred pounds to her or any one else, that would prove her, meaning the said Anne Charlotte Collet, guilty

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of adultery, or that a man had been in bed with her, so that he might get rid of her, and that if she or any one else would contrive such a thing, Mr. Collet, thereby meaning the said Jonathan Collet, would give them one hundred pounds, and she might as well have it as another, or to that or some such like effect? Who directed or employed you to make such inquiry, and to make such proposal or offer to the said Mrs. Bryan, and what did you receive or have been promised, or do expect to receive for your trouble therein, and from whom? Set forth all that passed between you and the said Mrs. Bryan, according to the best of your recollection and belief, and remember you are upon your oath.

Sixteenth, Let the said Catherine Gascoyne, Sarah Gascoyne, and Anne Gascoyne, be asked, Do you know one John Branch, what trade, profession, or employment was he of, or did follow immediately before, and on the first day of April, 1770, and how did he get his living or maintain himself, was he not on the
first

first day of April, 1770, and for som
and how long time before a person in
very low necessitous circumstances, and do
you not from your own knowledge know,
or have you not great reason to believe,
that he would do or undertake any bad
thing for the sake of reward, and particu-
larly that he would and did take advantage
of the said Anne Charlotte Collet's being
in liquor, to go to bed to her without
her knowledge thereof, for the sake of
hire, in order to found a pretence for
bringing this suit against her, and what
reward did the said John Branch receive, or
has been promised to receive for his affist-
ance therein, and who was he employed
by? Can you positively swear, that you did
ever see the said John Branch and Anne
Charlotte Collet in company together at
any time whatever, before or after the first
day of April, 1770, and very early in the
morning of the second day of that month?
And what is become of the said John
Branch since that time? Set forth all that
you know, believe, or have heard, con-
cerning the matters enquired after by this

interrogatory, according to the best of your recollection, with your reasons for your belief, and remember you are upon your oath.

Seventeenth, Let the said Catherine Gascoyne, Sarah Gascoyne, and Anne Gascoyne, be asked, Was not you employed by the said Jonathan Collet, or his brother Thomas Collet, or some other agent of his, or person on his behalf, to devise or contrive some ways or means, to entrap or ensnare the said Anne Charlotte Collet, and ply her with liquor until she should be intoxicated, or by some other and what way, procure an opportunity of putting the said John Branch, or any other man to bed to her, without her consent or knowledge, and did not you promise or undertake so to do, or endeavour so to do, and what orders, instructions, directions, or advice, did you receive from the said Jonathan Collet, Thomas Collet, or any other person, and who by name, for that purpose? And what have you been paid, received, been promised, or do expect to receive for your trouble therein? Set forth fully and particularly

ticularly all that you know, concerning the matters enquired after by this interrogatory, and remember you are upon your oath.

Eighteenth, Let the said Catherine Gascoyne, Sarah Gascoyne, and Anne Gascoyne, be asked, Did not you, or one of you, in company with the aforesaid John Branch, about noon on Sunday the first day of April, 1770, go to the lodgings of the said Anne Charlotte Collet, at the house of the aforesaid Mr. Barrow, at Hampstead, and do you not know or believe, that that was the first time that ever the said Anne Charlotte Collet saw, or was in company with the said John Branch, and did not the said Anne Charlotte Collet receive you and the said John Branch with great civility, and give you a dinner and some tea at her aforesaid lodgings; and after tea, did not you and some other person, and who by name, with great intreaty, prevail on the said Anne Charlotte Collet to accompany you, and your company to the Lebeck's Head, in Dorrington Street, near Brook's Market, and

and did not you and some other person, and who by name, mull some wine, and make some hot punch, and urge the said Anne Charlotte Collet to drink freely thereof, and keep her drinking till it was almost dark, and did she not seem to be very uneasy at being so far from home, and insist on going home to Hampstead; and did not you or some other person, and who by name, make use of any, and what arguments or persuasions, to induce her to stay there all night and offer her a bed, and who directed you to be so very urgent and pressing in your intreaty to her to stay, and for what reason, and what end was proposed to be answered thereby? Set forth all that you know, believe, or have heard, concerning the matters enquired after by this interrogatory, and remember you are upon your oath.

Nineteenth, Let the said Catherine Gascoyne, Sarah Gascoyne, and Anne Gascoyne, be asked, Did not you and the said Jonathan Collet, Thomas Collet, and some other person, and who by name, previously consult, contrive, and agree to entice and seduce

seduce the said Anne Charlotte Collet to the Lebeck's Head, and ply her with liquor, and get her to drink to excess and make her drunk, and put the said John Branch or some other person to bed to her, in order to intitle yourself and others, and who else by name, to the one hundred pounds, or some other, and what gratuity and reward offered by the said Jonathan Collet for that purpose; and when you had got the said Anne Charlotte Collet to the Lebeck's Head, did not you, or some other person, and who by name, send to the said Jonathan Collet to come there, and did not he, and the said Thomas Collet, his brother, Edward Chapman, his brass-founder, and John Fennymore, his barber, come to the Lebeck's Head, in pursuance of notice given to him by you, or some other person, and who by name, on that day, or at some other, and what time before, and were they not planted in some room or part of the said house, to be in readiness to be let into the room wherein the said Anne Charlotte Collet was to sleep, as soon as the said

John

John Branch should be got into bed to her? And was not the street-door of the Lebeck's Head left open for some time, and how long before their arrival there, that they might the more easily get into the said house, without making any noise; and also that the said John Branch might the more easily get out of the said house, after he should have been seen in bed with the said Anne Charlotte Collet? Set forth all that you know concerning the matters enquired after by this interrogatory, and remember you are upon your oath.

Twentieth, Let the said Catherine Gascoyne, Sarah Gascoyne, and Anne Gascoyne, William Stock, Thomas Collet, and Richard Hopkins, be asked, Was the said Jonathan Collet, to your knowledge or belief, ever, and how many times, at the Lebeck's Head aforesaid, before the first day of April, 1770; did not that day happen on a Sunday? And do you not know, or have you not heard, and believe, that the said Jonathan Collet, always went on Saturdays to Lewisham, to pay his workmen there, and generally, if not always, staid there till the Monday or Tuesday following,

following, and did you not know, or have you not heard and do believe, that the said Jonathan Collet was there in the afternoon, or evening of the said first day of April, 1770, and was sent for from thence by you or some other person, and who by name, to attend and surprize the said Anne Charlotte Collet in bed there, immediately after the said John Branch should be got to bed to her, or for what other purpose? Set forth all that you know, believe, or have heard, concerning the matters inquired after by this interrogatory, and remember you are upon your oath.

Twenty-first, Let the said Catherine Gascoyne, Sarah Gascoyne, and Anne Gascoyne, be asked, Was not a boiled fowl and oyfter-sauce provided for the said Anne Charlotte Collet's supper, at the Lebeck's Head aforesaid, on the evening of the said first day of April, 1770, and did she not sup there in company with you, and the said John Branch, and some other person, and who by name, and did not you and some other person or persons, and who by name, ply the said Anne Charlotte Collet with wine,

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punch, and other strong liquors, and keep her up drinking to great excess till two or three o'clock in the morning, on the second day of April, 1770, and was she not then very much intoxicated, and did she not get to bed, or was put to bed in the room wherein you supped with her, and was then quite senseless; and did not you, or some other person, and who by name, immediately quit the room wherein the said Anne Charlotte Collet was in bed, and leave the door open for the said John Branch to get in, and did not the said John Branch, with your knowledge and consent, and without pretending to make any secret thereof, go into such room, and get into bed to the said Anne Charlotte Collet, with his breeches and stockings on, without her knowing, or being capable of knowing thereof, and immediately after, and the instant he was in bed with the said Anne Charlotte Collet, did not the said Jonathan Collet, Thomas Collet, Edward Chapman, and John Fennymore, rush into the said room, and did not the said John Branch thereupon start out of

bed and go down stairs? And do you not, in your own conscience believe, that the said Anne Charlotte Collet, was at the time the said John Branch so got into bed to her, in a state of stupor or insensibility, occasioned by her having drank too much, and that she remained in such state till she was roused therefrom by the said Jonathan Collet, her husband? Set forth all that you know, believe, or have heard, concerning the matters enquired after by this interrogatory, and remember you are upon your oath.

Twenty-second, Let each witness be asked, Which of the parties in this cause, would you give the victory to if in your power, and for what reason; are you any way, and how related, or indebted to the producent in this cause, and do you not believe, if you should depose contrary to his interest, that you should be prejudiced thereby; and set forth in what manner?

Twenty-third, Let each witness, except the last, be admonished, not to reveal to his or her fellow-witnesses, or to any other person, the purport of his or her depo-

deposition, these interrogatories, or the answers thereto, till publication shall have passed in this cause,

ARTHUR COLLIER.

S E N T E N C E.

Upon hearing the depositions of the evidence in this cause, a final decree, or sentence, was given to the following effect, viz. that, after the solemnization and consummation of the marriage, Anne Charlotte Collet, unmindful of her conjugal vow, &c. did, in the years and months libellate, commit the crime of adultery with certain strange men, one of them calling himself John Branch, and did violate her conjugal duty, Jonathan Collet therefore ought by law, to be divorced and separated from bed, board, and mutual cohabitation with the said Anne Charlotte Collet, his wife, &c. and they are divorced and separated accordingly.

(1)

SIR JOHN COLLETON,

AGAINST

LADY COLLETON.

LIBEL given in the 26th of *February*,
1770.

THE above-mentioned libel sets forth,
that, on or about the ninth of Fe-
bruary, 1759, Sir John Colleton, Bart.
and Anne Fulford, spinster, were joined
together in holy matrimony, according to
the rites and ceremonies of the church of
England, and afterwards consummated the
said marriage; and the said Sir John Col-
leton, and Dame Anne, his wife, lived
and cohabited together as man and wife:
that, in or about the month of September,
1759, Sir John Colleton's affairs requiring
his presence in the province of South Ca-
rolina, they went thither, and staid there
till

till about the month of October, 1767; when the said Dame Anne Colleton returned to England, leaving the said Sir John Colleton behind her in the said province: that the said Sir John Colleton, continued in South Carolina till about the fifteenth of August, 1769, when he embarked for England, and landed at Dover the twenty-fourth of September following: that, after the return of the said Dame Anne Colleton, while her husband remained in South Carolina, (being altogether unmindful of her conjugal vow) she had criminal conversation, and committed the crime of adultery with one or more person or persons, and was, by such criminal conversations got with child, which was baptized by the name of John Fulford, in the Hamlet of Hammersmith, in the parish of Fulham, in the county of Middlesex: the party proponent therefore prays that justice may be fully done and administered, &c.

The

28th March, 1750.

The Deposition of Elizabeth Lucas.

ELIZABETH LUCAS, wife of Richard Lucas, of Church Lane, in the parish of Kensington, in the county of Middlesex, midwife, aged forty-eight years, deposeth and saith, that she knows Dame Anne Colleton, party in this cause, and first became acquainted with her by being sent for, on or about the seventh of February, 1769, to come and attend in her capacity as a midwife, at the house of Mrs. Jane Fargus, who keeps a lodging-house in Church Lane, in Kensington, aforesaid, where the deponent was introduced to the said Dame Anne Colleton, who lodged at the said house, and was at that time big with child.

She further saith, that, on or about the twenty-first of February, 1769, the deponent was sent for to come to the said Dame Anne Colleton; that the deponent accordingly went to her at her lodgings aforesaid, and found her in labour: that,

Sir John Colleton, against

about two or three o'clock in the afternoon of the said twenty-first of February, the deponent delivered the said Dame Anne Colleton of a male child.

She further saith, that, on or about the seventeenth of March, 1769, the deponent was present in the Hamlet of Hammer-smith, in the parish of Fulham, when the aforesaid male child was baptized by the Rev. Mr. Sampson, the minister of the said Hamlet, by the name of John Tulford, which name the deponent, at the desire of the said Dame Anne Colleton, gave at the time of the said christening.

To the exhibits pleaded and exhibited, the deponent saith, that she doth verily believe that the aforesaid male child, of which she, the deponent, delivered the said Dame Anne Colleton, as aforesaid, and the said John Tulford, in the said exhibit mentioned to have been so baptized, as before by her deposed, was and is one and the same child.

ELIZABETH LUCAS.

*28th March, 1770.**The Deposition of Jane Fergus.*

JANE FERGUS, wife of Charles Fergus, of Church Lane, in the parish of Kenfington, in the county of Middlesex, aged fifty years, saith, that she keeps a lodging-house in Church Lane, aforesaid; that she knows Dame Anne Colleton, party in this cause, and became first acquainted with her by reason of the said Dame Anne Colleton's coming to lodge at the deponent's said house, in or about the months of July or August, 1768.

She further saith, that, on or about the twenty-first of February, 1769, the said Dame Anne Colleton was brought to-bed of a male child, at her said lodgings in the deponent's house, in Church Lane aforesaid: that the said Dame Anne Colleton was delivered of such child by Mrs. Elizabeth Lucas, a midwife, who lives in Church Lane, aforesaid, and the deponent was present at such delivery.

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The deponent further saith, that, about the middle of March 1769, but the particular day of the said month, she cannot at present recollect, she, the deponent, and the said Dame Anne Colleton, and also the said Elizabeth Lucas, who had the male child in her arms, did go in a coach to the Hamlet of Hammersmith, in order to have the said child baptized; that the said child was accordingly baptized on the said day, in the said Hamlet, by the name of John Fulford; which name was given by the aforesaid Mrs. Elizabeth Lucas, at the time of the said christening.

To the exhibit pleaded and exhibited, the deponent saith, that she doth verily believe that the said male child, of which the said Dame Anne Colleton was delivered and brought to-bed, at the deponent's house, as aforesaid; and the said John Fulford, in the said exhibit mentioned to have been so baptized, as aforesaid, was and is one and the same child.

JANE FERGUS.

The

*3d April, 1770.**The Deposition of Edward Rutledge.*

EDWARD RUTLEDGE, of Charles Town, in the province of South Carolina, but at present residing in York Buildings, in the parish of St. Martin in the Fields, in the county of Middlesex, Esq. aged twenty years, deposes and says, that he well knows Sir John Colleton, party in this cause, and hath been acquainted with him for upwards of four years last past, by reason of the said Sir John Colleton's residing in the province of South Carolina, where this deponent lived; that he hath frequently seen the said Sir John Colleton, in Charles Town, in the province aforesaid, between the month of October, 1767, and the month of July, 1769, when this deponent left the said province; and that he verily believes the said Sir John Colleton resided in the said colony during the whole of the said time,

EDWARD RUTLEDGE,

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The

*3d April, 1770.**The Deposition of John Channing.*

JOHN CHANNING, of the parish of St. James, Goose Creek, in the province of South Carolina, but at present residing in Featherstone Buildings, in the parish of St. Andrew, Holborn, in the county of Middlesex, Esq. aged thirty-nine years, deposes and says, that he well knows Sir John Colleton, party in this cause, and hath been intimately acquainted with him for upwards of eight years last past, by reason of the said Sir John Colleton's residing in the province of South Carolina aforesaid, and visiting this deponent there: that he hath very frequently seen the said Sir John Colleton at Charles Town, and other parts of the country, in the said province of South Carolina, between the month of October, 1767, and the month of May, 1769, when the deponent left the province: that the deponent hath so often been in company with the said Sir John Colleton, in the province aforesaid,

aforesaid, that he doth verily believe he hath resided during the whole of the said time in the said province: and further saith, that the distance of the times when the deponent hath seen the said Sir John Colleton, as aforesaid, have been so very short, that he is certain, Sir John Colleton could not have been in England at any time between the month of October, 1767, and the month of May, 1769: that it was generally known in the said province of South Carolina, and this deponent doth believe, that Dame Anne Colleton, party in this cause, left Charles Town aforesaid, to come to England in or about the month of October, 1767.

JOHN CHANNING.

4th April, 1770.

The Deposition of Abigail Fryer.

ABIGAIL FRYER, of Deptford, in the county of Kent, widow, aged forty-six years, deposes and says, that she well
knows

knows Dame Anne Colleton, party in this cause, and first came to know her, by her, this deponent's, going to live with her as a servant, in the month of August, 1768, at the lodgings of the said Dame Anne Colleton, at Mrs. Fergus's, in Church Lane, in Kensington, in the county of Middlesex: that this deponent hath continued to live with her, and still doth live with her as a servant, at the said Dame Anne Colleton's lodgings in Deptford aforesaid, whereto she removed from Kensington in September last: that, about nine o'clock in the morning, of the twenty-first of February, 1769, the said Dame Anne Colleton was taken in labour, and was in the afternoon of the same day brought to-bed, at her lodgings at Kensington aforesaid, of a male child, and was delivered of such child by Mrs. Lucas, a midwife, who lives in Church Lane aforesaid: that this deponent was present the whole time, and assisting at such labour.

She further deposes and says, that she was not present at the christening of the said male child, in the Hamlet of Hammer-smith,

merfmith, but doth verily believe that the faid child was chriftened there on the feventeenth of March, 1769, by reason that the faid Dame Anne Colleton went on that day to the faid Hamlet to be churched; and, on her return, informed the deponent that the child had been then chriftened, and had been baptized by the name of John Fulford; and Mrs. Lucas, the midwife, likewise informed the deponent of the fame.

She further depofes and fays, that ſhe doth not know Sir John Colleton, party in this caufe, and, to her knowledge, never ſaw him; but is certain that, during the time that ſhe hath lived with Lady Colleton, the faid Sir John Colleton hath never lived or cohabited with Lady Colleton.

This deponent further faith, that ſhe doth verily believe that Dame Anne Colleton, who was on the twenty-firſt of February, 1769, delivered at Kenſington of a male child, and the faid Dame Anne Colleton, one of the parties in this caufe, and the wife of Sir John Colleton, and to whom

whom she then was, and still is a servant, was and is one and the same person.

ABIGAIL FRYER.

27th April, 1770.

The Deposition of Wenman Nutt.

WENMAN NUTT, of the Tower, London, gentleman, aged fifty years, deposes and says, that he well knows Sir John Colleton, party in this cause, having been acquainted with him from his childhood, and the said Sir John Colleton being nephew to this deponent's wife: that this deponent hath very often visited Sir John Colleton, and Dame Anne Colleton, party in this cause, as husband and wife, between the month of February, 1759, and the month of September following, at the lodgings of the said Sir John Colleton, in Pall Mall, London, and at divers other places; and that the said Sir John Colleton and Dame Anne Colleton have often, during the said time, visited this deponent

and his family, at the deponent's house in the Tower; and they were always looked upon and esteemed by this deponent, and others, to his knowledge, as lawful husband and wife: that, in or about the month of September, 1759, the said Sir John Colleton, and Dame Anne Colleton, his wife, took leave of this deponent, and immediately after set off for South Carolina, as this deponent was informed and believes.

He further deposes and says, that he doth verily believe that Dame Anne Colleton left the province of South Carolina, and embarked for England, on or about the eleventh of October, 1767; and arrived the latter end of November following at the city of Bristol, by reason that the said Dame Anne Colleton dined at this deponent's house in the Tower aforesaid, about a week before Christmas, 1767; and then informed the deponent that she was come from Exeter, whereto she went immediately after her arrival at Bristol, from South Carolina, the latter end of the pre-

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ceding month of November : that the deponent frequently saw the said Dame Anne Colleton, and visited her at several places in London, and also at Knightsbridge, in the county of Middlesex, from the time of her said arrival at the deponent's house, in December, 1767, aforesaid, till the beginning of July following ; and that the several intervals of this deponent's seeing the said Dame Anne Colleton were so very short, that he is certain she could not have gone out of the kingdom to so great a distance as South Carolina, during the said time,

The deponent further saith, that he verily believes, that Sir John Colleton never was in England, from the month of October, 1767, to the month of August, 1769 ; but that he resided in South Carolina aforesaid, during the whole of the said time ; by reason that the deponent hath received divers letters from him, dated from South Carolina, on business, during the said time ; and particularly one letter, a little time before the said month
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of August, 1769, informing the deponent of his intention to embark for England, and that he should come in the ship *Queen Charlotte*; in which said ship he arrived off Deal or Dover in the month of September following.

He further deposes and says, that he doth verily believe, and hath been credibly informed, that the said Dame Anne Colleton was brought to-bed of a male child, on or about the twenty-first of February, 1769, at the house of Mrs. Fergus; but the deponent was not present at the birth of such child: that, in the month of December preceding, the deponent saw the said Dame Anne Colleton, who appeared to him to be, and was, as he verily believes, at that time very big with child.

He further deposes and says, that he doth verily believe that Dame Anne Colleton, (wife of Sir John Colleton, Bart. party in this cause) and Dame Anne Colleton, who was on or about the twenty-first of February, 1769, delivered at Kensington

of a male child; and Dame Anne Colleton, one of the parties in this cause, was, and is one and the same person.

WENMAN NUTT.

30th April, 1770.

The Deposition of Mary Nutt.

MARY NUTT, wife of Wenman Nutt, of the Tower, London, aged fifty years, deposes and says, that she is aunt to Sir John Colleton, Bart. one of the parties in this cause, and that some time between the months of March, 1759, and September following, the said Sir John Colleton introduced Dame Anne Colleton, (the other party in this cause) to the deponent and her family, as his lawful wife; and the deponent did often, during the said time, visit Sir John Colleton and his said wife, at their lodgings in Pall Mall, London, and at Highgate, in the county of Middlesex, and divers other places; and

and always looked upon and esteemed them to be lawful husband and wife: that in or about the month of September, 1759, the said Sir John Colleton and Dame Anne Colleton took leave of this deponent and her family, and very soon afterwards set off for South Carolina, as the deponent was informed and believes.

She further deposes and says, that she doth believe that the said Dame Anne Colleton left Sir John Colleton, her husband, at Charles Town, in the province of South Carolina, in or about the month of October, 1767, and arrived, the latter end of November following, at the city of Bristol, by reason that the said Dame Anne Colleton dined at this deponent's house in the Tower on the Christmas-day following, and then informed this deponent that she had been at Exeter, whereto she went immediately on her arrival at Bristol, from South Carolina, the latter end of the preceding month of November: that Dame Anne Colleton very often visited this deponent from the month of December, 1767, till the latter end of June

June or beginning of July following, at this deponent's house at the Tower, and the several intervals of this deponent's seeing Dame Anne Colleton were so very short, that she believes it was impossible for her to have gone out of England, to so great a distance as South Carolina, during the said time.

She further deposes and says, that she doth verily believe, that Sir John Colleton continued in the province of South Carolina, from October, 1767, the time Dame Anne Colleton left the same, till on or about the fifteenth of August, 1769; and never was in England during the said time, to the best of the deponent's knowledge or belief; but did arrive at this deponent's house the latter end of September following; when Sir John Colleton informed her that he had just landed at Deal, or Dover from South Carolina.

She further deposes and says, that she hath been informed and believes, that Dame Anne Colleton was, on or about the twenty-first of February, 1769, brought to-bed of a male child, at the house of Mr. Fergus,

Fergus, in Church Lane, but the deponent was not present at the birth of such child.

She further deposes and says, that she doth verily believe that Dame Anne Colleton, wife of Sir John Colleton, Bart. and Dame Anne Colleten, who was on or about the twenty-first of February, 1769, delivered at Kensington of a male child; and Dame Anne Colleton, one of the parties in this cause, was, and is one and the same person.

MARY NUTT.

30th September, 1770.

The Deposition of Elizabeth Mary Anne Colleton.

ELIZABETH MARY ANNE COLLETON, of the Tower, London, spinster, aged twenty years, deposes and says, that she is sister to Sir John Colleton, Bart.

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one of the parties in this cause: that, to the best of her remembrance, some time in the month of April or May, 1759, (but more particularly as to the time she cannot depose) Sir John Colleton introduced Dame Anne Colleton, the other party in this cause, to her this deponent, and to Mr. and Mrs. Nutt, (in whose house the deponent then lived and still continued to reside) as his lawful wife; and the deponent did often visit Sir John Colleton, her brother, and his said wife, at their lodgings in Pall Mall, London; and in Highgate, in the county of Middlesex, and at other places, from April or May, 1759, till the September following; when her said brother and sister-in-law went to South Carolina, to the best of the deponent's remembrance; and she always looked upon them as lawful husband and wife.

She further deposes and says, that she believes Dame Anne Colleton left Sir John Colleton, her husband, at Charles Town, South Carolina, the beginning of October, 1767, and arrived at the city of Bristol
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the latter end of the November following; by reason that Dame Anne Colleton came to the house of Mr. Nutt, in the Tower aforesaid, about ten days before Christmas following; and did then inform the deponent that she was just come from Exeter, whereto she went on her arrival at Bristol from South Carolina, the preceding month of November; and that she had left Sir John Colleton, her husband, at South Carolina: that Dame Anne Colleton very often visited this deponent at the house of Mr. Nutt, from December, 1767, till the July following; and the intervals of such visits were so very short, that the deponent believes it was impossible for Dame Anne Colleton to have gone out of England to so great a distance as South Carolina, during the said time.

She further deposes and says, that she verily believes that Sir John Colleton continued in the province of South Carolina, from October, 1767, (the time Dame Anne Colleton left the same) till on or about the fifteenth of August, 1769, and never was in England during the said time:

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and the deponent hath, in such time, received several letters from him dated from Charles Town, South Carolina: that the said Sir John Colleton came to Mr. Nutt's house, in the Tower, about the latter end of September, 1769, and informed the deponent that he had landed at Deal or Dover, from South Carolina, on or about the twenty-fourth of the said month of September.

She further deposes and says, that she hath been informed and doth believe, that Dame Anne Colleton was, on or about the twenty-first of February, 1769, brought to-bed of a male child, at the house of Mr. Fergus, in Church Lane; but the deponent was not present at the birth of such child.

She further deposes and says, she verily believes that Dame Anne Colleton, (wife of Sir John Colleton, Bart.) and Dame Anne Colleton, who was on or about the twenty-first of February, 1769, delivered at Kensington of a male child, as set forth, and Dame Colleton, one of the parties in
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this cause, was and is one and the same person.

ELIZ. MARY ANNE COLLETON.

1st May, 1770.

The Deposition of Charles Fergus.

CHARLES FERGUS, of Church Lane, in the parish of Kensington, in the county of Middlesex, aged fifty-two years, a native of Philipolis, in Macedonia, deposes and says, that he, and Jane Fergus, his wife, have, for between five and six years last past, kept, and do now keep a lodging-house in Church Lane, in the parish of Kensington; and the deponent doth know Dame Anne Colleton, one of the parties in this cause, and came first to know her by her coming to lodge at the deponent's said house, on or about the fourth day of July or August, 1768, but which of the said months the deponent is not certain.

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He further deposes, that on or about the twenty-first of February, 1769, Dame Anne Colleton was brought to-bed of a male child, at her lodgings in this deponent's house, in Church Lane, and was delivered of such child by Mrs. Lucas, a midwife, who lives in Church Lane: that the deponent made a memorandum, in writing, on the said twenty-first of February, 1769, that the said child was born on Tuesday, about ten minutes after three o'clock in the afternoon, of the said twenty-first of February: and farther saith, that the said male child was, on the very day following, taken away in the afternoon, and carried to nurse between Kensington and Hammersmith, as the deponent hath been informed and doth believe: that the deponent was not present at the christening of the said child, on the seventeenth of March, 1769; but was informed by his wife, and Mrs. Lucas, that the child had that day been baptized by the name of John Fulford.

CHARLES FERGUS.

7th May, 1779.

The Deposition of William Jones.

WILLIAM JONES, of the Inner Temple, London, gentleman, aged twenty-five years, deposes and says, that, on or about the sixth of December, 1769, the deponent did examine the entry in the exhibit marked with the letter A, with an original entry in the register-book of births and baptisms, kept for the Hamlet of Hammersmith, in the parish of Fulham, in the county of Middlesex; and thereby knows that the said entry, contained in the exhibit marked A, doth agree with, and is a true copy of the entry of the baptism of John Fulford, made in the said register-book: and the deponent further saith, that he did, at the same time, see Thomas Hallet, clerk to the said Hamlet, sign his name to the certificate, wrote underneath the said copy of the said entry, contained in the said exhibit, after the said Thomas Hallet and this deponent had examined, and compared the said copy
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of the said entry, with the aforesaid original entry, made in the register-book, as aforesaid; and further he cannot depose.

WILLIAM JONES.

S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, sentence was pronounced to the following effect, viz. that Dame Anne Colleton, after the solemnization and consummation of the marriage, being altogether unmindful of her conjugal vow, &c. kept company, had criminal conversation, and committed the crime of adultery with one or more person or persons, and was, by such criminal conversation begot with child, &c. it is therefore pronounced, decreed, and declared, that Sir John Colleton, Bart. ought by law to be divorced and separated from bed, board, and mutual cohabitation with Dame Anne Colleton, &c. and they are divorced and separated accordingly, &c.

CHARLES DALY, Esq.

AGAINST

ANASTATIA DALY.

LIBEL given in the 27th of *June*,
1767.

IN the abovementioned libel, Charles Daly, Esquire, of the parish of St. George, Hanover Square, in the county of Middlesex, sets forth, that he was, and is a gentleman of an antient family, and considerable estate, in the county of Galway in Ireland; that on or about the twenty-ninth of April 1747, he intermarried with Anastatia Daly, his cousin, and daughter of Peter Daly, of Quansbury, in the county of Galway, Esq. that they cohabited together for divers years then next following. That in or about the month of November, 1761, he the said Charles Daly

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came from his seat in the county of Galway to Dublin, to attend his duty there in the House of Commons as representative for the said county ; and continued in Dublin with his wife and family till the rising of the Parliament, which happened in or about the month of May 1762. That during the time of his residence in Dublin, the Right Hon. Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, became acquainted with Anastatia Daly, his wife, paid her great attention, was observed to be always near her at public places, and to take particular notice of her : that the said Anastatia Daly was seduced by the said Earl of Kerry to withdraw her duty and affection from her husband, and to hold a criminal conversation with him. That at the rising of the Parliament in or about May, 1762, the said Charles Daly, Esq. desired his wife to return with him to his seat in the country at Loughrea, which she declined under pretence that she was in a bad state of health, and thought it necessary to have the advice of Dr. Smith, an eminent physician of Dublin ;

Dublin; and that it would be also necessary that she should stay at Dublin to carry on a suit they had in the Exchequer; which pretended reasons occasioned Mr. Daly's not insisting upon her then leaving Dublin, but went into the county of Galway without her, where he continued till about the month of October then next following, when he received a letter from Lady Kingland, a sister of the said Anastatia, that she was ill at Lady Kingland's house at Turvey, about eight miles from Dublin; that he went thither to her, and continued there for some time till she recovered, and then accompanied her to Dublin; where, after staying with her two or three days, he again pressed her to go with him into the country, which she refused to comply with; alledging that her health required her continuing at Dublin, to be near her physician. The said Charles Daly thereupon went into the country without her, and continued there till about February, 1763; when he returned to Dublin, and staid with his wife for about three days, when she refused to admit him
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to her bed; telling him that Dr. Smith had advised her against laying with him, for that it would probably be the death of her. He thereupon returned into the country, and resided in the county of Galway, during most part of the following summer; during which time he frequently sent letters to the said Anastatia, pressing her to come into the country to him, but all to no purpose. That the said Anastatia, upon the death of her father, which happened in or about the year 1757, became entitled to, and hath since received and enjoyed to her own separate use, upwards of five hundred pounds a year, being a third part of the income of her said father's estate, during the life of her mother, who hath besides a jointure of upwards of one thousand pounds a year out of the said estate, which after her death will descend to Anastatia Daly, and her two sisters. That in or about the month of November 1763, the said Charles Daly then continuing in the county of Galway, received information that many reports were spread to his wife's dishonour, respecting her conduct and intimacy with
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the Earl of Kerry ; whereupon, in the beginning of January, 1764, he set out for Dublin, and, upon his arrival there, went to the house where the said Anastatia then lived, in Clare Street, and went directly into her dressing room, and told her he was come to take her into the country : that she at first refused to go with him, but upon his telling her he was determined, and expected her quiet compliance, or that he should be under the necessity of obliging her, she thereupon submitted, and they set out for Loughrea aforesaid, where he gave directions for every thing being provided for her in a genteel manner, which was done accordingly ; but he refrained from her bed, and never lay with her from his being so first informed of the said report. That she continued at his house at Loughrea till May, 1764, during which time she, by the means of Eleanor Street, her maid servant, and Mr. Samuel Walsh of Dublin, and James Rede, and — Manning, carried on a correspondence, by messages and letters, with the Earl of Kerry, and thereby concerted with him the means of her getting

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from the house of the said Charles Daly; and on or about the sixth of May, 1764, she was carried away from the house of the said Charles Daly by one Thomas Street, the husband of the aforesaid Eleanor Street, who passed under the fictitious name of Thomas Shaw; she walking in rainy and dirty weather above a mile to meet him, and then got on horseback on a pillion behind him; and the said Thomas Street was hired, and paid by the Earl of Kerry, or his agents. That during the residence of Anastatia Daly at Dublin, between May 1762, and January 1764, the said Earl of Kerry and she carried on a very intimate, familiar, and indecent acquaintance and conversation, and were frequently alone together at each others houses at improper and unseasonable hours; she, the said Anastatia, frequently paying morning visits to the said Earl of Kerry at his house, and often dining, supping, and staying alone with him there till late in the evening, and sometimes till two or three o'clock in the morning: and at such times, when she came there in the morning, she frequently went into his lordship's

ship's study, and staid there for some time alone together; and the servants in the Earl's family had particular orders given them, by his lordship, not to come into any of the rooms where he was after eleven o'clock, unless particularly called, or rung for. And the Earl of Kerry used frequently to visit her at her house, and dine, sup, and stay with her alone there for many hours, and sometimes till the next morning, before he went away; and, at other times, hath pretended to go away, and then returned privately, and been let into the house again, and staid there till five or six o'clock in the morning; and during such times they have been often seen and observed, by the servants, to be toying with and caressing each other in a very familiar, immodest, and lewd manner, and have committed the crime of adultery together. That about the latter end of January, or the beginning of February, 1763, Charles Kelly, a servant to the Earl of Kerry, saw him and Anastatia Daly on a couch together, and he verily believes they had been at that time committing the crime of adultery together.

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One day, in or about the month of March, 1763, Anastatia Daly dined with the Earl of Kerry at his house in Dublin; that, about dusk of the said day, Bridget How, who then lived as house-maid at the said Earl of Kerry's, went into the drawing room to make up the fire, and while she was there, hearing Lord Kerry singing and coming towards the said room, she, by reason of the Earl of Kerry's orders to the servants, not to come up into the room after eleven o'clock, hid herself behind a settee in the said room, and the Earl of Kerry came immediately into the room singing, and holding Anastatia Daly by the hand, and set Mrs. Daly down in a chair; and the Earl of Kerry then bolted the door, and returned again to Mrs. Daly, and for some time kissed and toyed with her, and then laid her down on the chairs, took up her petticoats, and had the carnal use and knowledge of her body: after which Anastatia Daly went to a glass in the room and set her cap to rights; and then she and the Earl of Kerry went hand in hand out of the room as aforesaid, &c. Charles Daly, Esq.

Esq. therefore prays that he may be divorced from bed, board, and mutual cohabitation with the said Anastatia Daly, his wife.

The Deposition of Eleanor Street.

ELEANOR STREET, wife of Thomas Street, of Twickenham, in the county of Middlesex, aged about twenty-five years, deposes and says, that on the 8th of December, 1763, she was hired as a servant by Anastatia Daly, wife of Charles Daly, one of the parties in this cause, and, in about a fortnight afterwards, she went into her said service at Anastatia Daly's house, in Clare Street in the city of Dublin, wherein the said Anastatia Daly lived alone from the said Charles Daly her husband; from which time she the deponent hath continued to live, and now does live with her as her servant; and she further saith, that on or about the tenth day of January, 1764, Charles Daly, Esq. came to the said house in Clare Street, and took Anastatia Daly, and the deponent into the country to

a house of his, situate at Loughrea, in the county of Galway, in Ireland; which was the first time the deponent ever saw Charles Daly, he having been at Loughrea during the rest of the time the deponent had lived with Anastatia Daly: that she verily believes the reason he took his wife with him to Loughrea, was on account of some reports which he had heard, with regard to her conduct and behaviour to the Earl of Kerry, though at that time she did not know what such reports were.

She further saith, that Anastatia Daly continued in her said husband's house at Loughrea till some time on or about the sixth of May, 1764; but the said Charles Daly only lived with her there for about a week, and during that time did not lay in the same bed with Anastatia Daly, but constantly, during that time, lay in another part of the house; and, at the expiration of the said time, he went to Dublin, and did not afterwards lay in the said house during the whole time Anastatia Daly continued therein. That, in about three weeks after Charles Daly took Anastatia

Daly to his house at Loughrea, the said Anastatia Daly, and the deponent, were by his orders confined to the said house, and to a Court-yard belonging thereto: that, during such confinement, Anastatia Daly kept a correspondence with Lady Kingsland, her sister, and one Mr. Walsh, to both of whom the deponent has, by her mistress's order, conveyed letters, by means of one Manning, and one Bedor, a shoe-maker at Loughrea: that, by what she has heard since, she believes that Anastatia Daly enclosed letters for Lord Kerry in those she sent to Mr. Walsh, though at the time she conveyed them she was a stranger thereto: that she believes the correspondence so kept with Lady Kingsland, Mr. Walsh, and Mrs. Daly, was in order to effect her escape from the said house, though she was a stranger to the contents of the letters that passed between them; but one Mrs. Pigott, wife of Mr. Archdeacon Pigott, who lived at Loughrea aforesaid, and who corresponded with Lady Kingsland several times, before Mrs. Daly escaped from the said house, desired this deponent to contrive her escape

escape if she could, and that men and horses would be ready to convey her away. Accordingly the deponent engaged the said Manning, his wife, and the said Bedor, to be ready at any time to walk with Mrs. Daly, to whatever place the horses were to meet her, in order to her escape whenever she could get out; and, about three or four days before she escaped, the deponent's husband came down to Loughrea, and told her that he had been employed by Lady Kingsland to help Mrs. Daly to make her escape, and was come down for that purpose, and had a horse ready to carry her to Dublin; but no opportunity immediately offering for her to escape, Thomas Street (who went by the name of Thomas Shaw) was sent to ride about the country till an opportunity should offer; which happening on Sunday night the sixth of May, 1764, Mrs. Daly went out of the said house, and was conducted by Manning, his wife, and son, to a place about half a mile distance from Loughrea, where Thomas Street was waiting with a horse; upon which she went with Thomas Street to her mother's house



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M^{rs} Daly setting off for Swanbury.

See Trials for Adultery N^o 3 page 12.

1st Nov^r 1780, by S. Bladon.

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house at Quanbury, about thirteen or fourteen miles from Loughrea; where the deponent went to her the next day, and where she and Mrs. Daly staid about two or three days, when Lady Kingland sent a servant and fetched her away; but where she went she knows not; nor did she see her again till sometime in the month of July following, which was at Lord Kingland's seat at Turvey in Ireland, where she came and staid for two or three days concealed, and then went away, but where she knows not; but, in August following, she came to Lord Kingland's house at Dublin, where the deponent then also was; and on the last day of the said month of August, Anastatia Daly, and the deponent, set off for England, in company with Mr. Walsh, and arrived at Bristol some time in the beginning of September following, where she staid about a fortnight, and during that time she took lodgings at the house of Mr. Bolt on College Green there; and in about three or four days after they arrived at Bristol, Lord Kerry also came there, and took lodgings likewise on College

lege Green, in the name of Robinson; by which name he went during the time they staid at Bristol, and during such time frequently visited Anastatia Daly in the name of Robinson, and he was received and entertained by her at her lodgings; and during the whole of the time that they continued at Bristol after Lord Kerry's arrival, he always breakfasted, dined, and supped with Anastatia Daly and Mr. Walsh, and generally left Anastatia Daly about eleven o'clock at night, during that time, and went to his lodgings; but used to be frequently alone with her in the dining room at Mr. Bolt's, but never after that time of night.

She further saith, that the lodgings occupied in the said house by Mrs. Daly, consisted of a parlour on the ground floor, a dining-room and bed-chamber on the first, and a bed-chamber on the second floor: that the chamber on the first floor had a bed therein, but the deponent does not know that the door was kept locked, but when Mrs. Daly was in bed, she laying in such chamber, nor did she keep the key thereof,

thereof, but the same was always open for the servant of the house to go in and clean the same, saving which the people of the house had no business to go in. She further saith that in a few days after Mrs. Daly arrived at Bristol, and had taken her said lodgings, some person came to Mr. Bolt's house, and would have taken the remainder of the house which was not used by Mrs. Daly, but upon her hearing thereof she took the remainder of the house herself, telling Mr. Bolt, or some of his family, that she wanted it for the deponent and her husband; but she believes her true motive was, that she did not choose to have any other family in the house, whilst Lord Kerry visited her in a false name; that she continued to rent the said lodgings till some time in the latter end of the said month of September, when she went to London in company with Lord Kerry, and the deponent, in a coach as far as Staines in Middlesex, where they were met by Mr. Walsh, who, together with Lord Kerry, went from thence in one post chaise, and Mrs. Daly and the deponent

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in another : that Mrs. Daly took lodgings at the house of one Mr. Cooke, a haberdasher in Queen Street, May Fair, where she continued about a fortnight or three weeks, till a house which she had taken in the same street was ready for her reception, and in which house she afterwards continued till some time in or about the month of February, 1766 ; that during the whole time she continued in her said house in Queen Street aforesaid, Lord Kerry was generally there most of the day, as well at meal times, as at others, except he sometimes went out upon business or to dinner ; but he never lay in the said house.

She further saith that the said house in the first floor had a dining-room, a drawing-room, and a closet, and Mrs. Daly lay in a room up two pair of stairs, which was over the said dining-room ; that there was a couch in her said bed-chamber for some time, but whether when she first went into the said house or not she cannot say, and which couch Mrs. Daly ordered to be brought down into the said drawing-room, which it accordingly was ; and sometime

afterwards, by her order, it was removed into the said closet. And she further saith that the several times that Lord Kerry and Anastatia Daly have been together, they always seemed to be very fond of each other, and appeared to her to behave to each other as lovers, in toying with and caressing each other in a very familiar manner, but she never saw any thing to induce her to believe or think, nor does she know, that they ever carried on any criminal correspondence, or that they committed the crime of adultery together, or had the carnal knowledge of each other, nor can she further depose.

ELEANOR STREET.

The Deposition of Thomas Street.

THOMAS STREET, now servant to Anastatia Daly, one of the parties in this cause, aged twenty-seven years, deposes and says that this deponent's wife, Eleanor Street, lived as a servant with Anastatia Daly, party in this cause, at Dublin in the kingdom of Ireland; and, on the 10th of

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January,

January, 1764, was sent to a place called Loughrea in the county of Galway, in Ireland, together with Anastatia Daly, by Charles Daly, Esq. the husband of the said Anastatia Daly, and the producent in this cause; and was there confined by him in a house he had there. That, some time in the latter end of April following, he received a message from Lady Kingland, who is the said Anastatia Daly's sister, in pursuance of which he went to her at her house at Dublin, when she told him not to make himself uneasy about his wife, for that she would write to her sister, Mrs. Daly, and would afterwards go and bring his wife to Dublin with her; and, at the same time, told him she would send to him again in a little time, which she accordingly did in about ten days afterwards; and, upon his going to her, she asked him if he should like to go and see his wife, to which he replied he should, and would go and bring her away, for he did not like she should live there, meaning at Loughrea aforesaid; to which Lady Kingland said, that, if he chose to go, she would give him

him fifty guineas to buy a horse, and defray his expences, if he would deliver a packet to one Mrs. Pigott at Loughrea; and if he could contrive to bring away Mrs. Daly, her sister, (who she said was very ill, and she was afraid would die there) she would, upon his return, give him two hundred pounds; for that the said Charles Daly used her very ill in confining her at the said house, or she expressed herself in words to that or the like effect; and the deponent agreed to such proposal, and, having received the aforesaid packet from Lady Kingland, he set out for Loughrea on the second of May, 1764, and arrived there the fourth day of the same month; and went by the name of Thomas Shaw, pursuant to directions which he received from Lady Kingland for that purpose: that, upon his arrival at Loughrea, he went to the said Mrs. Pigott and delivered the aforesaid packet, who told him to go to an inn and wait for further orders, after being acquainted with the business he came upon; but advised him, by all means, to keep from Mr.

Daly's

Daly's house, lest some of the guards whom he had placed to watch Mrs. Daly, might see him and use him ill.

He further saith that on the day after his arrival at Loughrea, he received a note in Mrs. Daly's hand-writing, ordering him to go to a village called Gort, about thirteen miles from Loughrea, and stay there till Sunday, when he was to return to Loughrea with a horse; and in coming to Loughrea, on the said Sunday, he received a note on his way from his wife, directing him to be at the old church-yard at Loughrea, the said Sunday night at ten o'clock, and that Mrs. Daly should be brought to him: that accordingly he went on the Sunday night at about ten o'clock, to the old church-yard, and a woman, who was a shoemaker's wife, but whose name he has forgot, brought a pillion to him there, which he placed on his horse, and in about an hour after he had been there, a lady, then a stranger to him, but whom he then believed and now knows to be Anastatia Daly, party in this cause, came conducted by one man, and the said shoe-

shoemaker's wife ; and the deponent took Mrs. Daly behind him on his horse, and by her directions carried her to her mother's, at a place called Quansbury, about thirteen or fourteen miles from Loughrea, she not being able to go so far as Dublin, on account of illness : that, on the next day, he carried a letter from Mrs. Daly to Lady Kingland, at Dublin, to acquaint her where she was, upon which Lady Kingland sent him immediately back to desire Mrs. Daly to go from her mother's as soon as she could, lest she should be discovered ; but, when the deponent arrived at her mother's, he found she was gone, with a servant, Lady Kingland had sent for that purpose, and whom the deponent had missed upon the road : and the deponent never saw her again till some time in July following, when she came to Lord Kingland's seat at Turvey, where the deponent and his wife had been sent by Lady Kingland, to wait for further orders : that, upon Mrs. Daly's coming there, she hired him as her butler, in which capacity he has lived ever since.

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He further saith, that on the last day of August, Mrs. Daly, and one Mr. Walsh, and the deponent and his wife, set out for England, and arrived at Bristol some time in September, where Mr. Walsh hired lodgings for Mrs. Daly at the house of one Mr. Bolt, on the College Green; consisting of a parlour on the ground floor, and a dining room, and a bed-chamber up one pair of stairs, and a bed in the garret for her footman; in which lodging, Mrs. Daly staid about a fortnight; and, in about three or four days after her arrival at Bristol, Lord Kerry (whom the deponent has known by sight for many years,) also came to Bristol, and went to lodgings which Mr. Walsh had taken for him on College Green: that Lord Kerry when he came to Bristol, went by the name of Robinson, and visited Mrs. Daly at her lodgings, and was entertained by her there in the name of Robinson; and Lord Kerry, during the time Mrs. Daly staid at Bristol, generally breakfasted, dined, and supped with her at her lodgings; sometimes in company with Mr. Walsh, and sometimes alone; but never,

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to the best of his recollection, staid so late as eleven o'clock at night alone with the said Mrs. Daly : that Mrs. Daly used to lay in the bed-chamber even with the dining-room, but he never heard, nor does he know, that the said room, or any other, was always kept locked, or that she kept the key thereof, but the same were always open for the servants of the house to clean and make the beds.

He further saith that, in a few days after Mrs. Daly had been at the said Mr. Bolt's, a man came there and wanted to hire such part of Mr. Bolt's house as was not used by her ; but upon Mr. Bolt or his wife acquainting Mrs. Daly therewith, she told them, that she did not choose to have any other family in the said house, and therefore she took them herself, and kept them during the remainder of the time she staid at Bristol ; but what her reason was for refusing to let any other family come into the said house, he knows not. And he further saith that some time in or about the month of October in the said year 1764, Mrs. Daly, and Lord Kerry, together

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gether with the deponent and his wife, and two other servants, went to London, and Mrs. Daly went to lodgings at the house of one Mrs. Cooke, a haberdasher in Queen Street, May Fair; which had been taken for her and her family by Mr. Walsh, who had set out from Bristol before them for that purpose; in which lodgings, the said Anastatia Daly continued to reside for about a fortnight or three weeks, till a house which she had taken in the said street could be prepared for her; which house, on the first floor, had a dining-room and a daawing-room, and a closet, and the said Mrs. Daly's chamber was one pair of stairs higher, and where she afterwards removed to, and continued therein till some time in or about the month of February, 1776; during which time Lord Kerry very frequently visited her, and generally breakfasted, dined and supped with her there. And he further saith that there was a couch in one of the two pair of stairs rooms in the said house, but which he does not know; which couch was, by the directions of Mrs. Daly, brought into the closet adjoining

joining to the said drawing room. He further saith, that during the time Mrs. Daly was at Bristol, the deponent, going up stairs to tell her that dinner was upon table, and opening the door suddenly, he saw the Earl of Kerry kiss Anastatia Daly, but, saving which, he never saw in them any behaviour, by which he should be induced to believe, nor does he know that the Earl of Kerry and Anastatia Daly at any time whatever committed the crime of adultery together, or had the carnal use or knowledge of each other; nor can he further depose, save that Lady Kingsland paid the fifty guineas, and the two hundred pounds, which she had promised him for bringing Mrs. Daly from Loughrea.

THOMAS STREET.

The Deposition of Christopher Campbell.

CHRISTOPHER CAMPBELL, of South Hill, in the county of Berks, now servant to Anastatia Daly, party in this cause, aged about fifty years, deposes and says, that he lived as a servant with Pe

Daly, Esq. the father of the said Anastatia Daly, the party in this cause, at Dublin in the kingdom of Ireland, for about fourteen years before, and till within about eighteen or nineteen years ago, when he quitted his service and went to live as a servant with Charles Daly, Esq. the pro-
ducent in this cause, and Anastatia Daly his wife; in which capacity he lived till within about three years last past; that he then lived as a servant for about a year with one Blake, and at the expiration of that time, Anastatia Daly sent for the deponent, and he has lived with her as her butler ever since.

He further saith that the said Peter Daly, father of Anastatia Daly, at his death, which happened, to the best of his remembrance as to the time, about six or seven years ago, left Anastatia Daly some income arising out of a freehold estate for her own separate use, and which income he has heard was about four or five hundred pounds a year: and he has also heard and believes that the mother of the said Anastatia Daly, was left by the said Peter Daly,

Daly, with a jointure of about one thousand pounds a year, arising out of the afore-said estate ; and which, as he has also heard and believes, at the death of her mother, will descend to Anastatia Daly and her two sisters. And he further saith that Charles Daly the producent is member of parliament for the county of Galway, in Ireland ; and, sometime in or about the month of November, 1761, he came with Anastatia Daly and their family to the city of Dublin from the country, to attend his duty in parliament, and staid there with them till the rising of the said parliament ; which happened in about seven or eight months afterwards, as he now recollects the time to be.

He further saith, that upon the rising of the parliament, Charles Daly returned to his country seat at Loughrea in the county of Galway, leaving Anastatia Daly at their house in Dublin, on account of her health, which was then impaired ; and she was attended by one Doctor Smith a physician on that account : but whether the producent ever desired Anastatia Daly to return
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with him into the country, or whether she ever refused the same, he knows not of himself, but has heard it reported in the family that he did desire of her to go, and that she refused on account of her health. He further saith that, in about four or five months after the producent left Dublin, Anastatia Daly went to pay a visit to her sister, Lady Kingsland, at her seat at Turvey, about eight or nine miles from Dublin, where she was taken ill; and Lady Kingsland wrote an account thereof to the producent, who went thereupon to Lord Kingsland's at Turvey; and, after staying there with his wife for three or four days, or thereabouts, they came together to their house at Dublin; where the producent staid one night, and then returned to Loughrea, leaving Mrs. Daly at Dublin; but whether he, at that time, pressed or desired her to go with him, or whether she refused the same, he does not know: that the producent continued for some months (but the particular time he cannot say) at Loughrea, when he returned to his said house at Dublin on a Friday, and went
again

again to Loughrea on the Sunday following, during which time, he says, the said Charles Daly and Anastatia Daly did not lie together; but had separate beds in the said house at Dublin, but on what account he does not know: that the said Charles Daly continued at Loughrea for some months, but the particular time he cannot say; and on a day, happening in the month of January, 1764, the deponent being gone to market at Dublin (where he had resided in the producent's house there, during the time by him before deposed of) at his return he was informed by his fellow-servants (but whom in particular he does not remember) that the producent had been to his said house, and taken his wife with him into the country; giving as the reason thereof, that her mother was given over, and that he had fetched her into the country to see her: but the deponent has heard and believes, that the true reason why he so fetched her away, was on account of some reports which he had heard, relating to an intimacy and connection

which she had formed with the Earl of Kerry.

He further saith, that, during the absence of the said Charles Daly, the deponent, at the times by him beforementioned, the said Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, frequently visited Anastatia Daly at her house at Dublin; and, as the deponent has heard, Anastatia Daly hath also visited the Earl of Kerry at his house, but never alone to the deponent's knowledge: that the Earl of Kerry hath visited her alone, at her house several times, but the particulars thereof he cannot recollect; and hath dined and supped with her there, and at some such times hath staid with her alone till twelve o'clock at night, but never later to the best of his remembrance; that he never saw any other behaviour between them, than as common acquaintance; nor does he believe, nor has he any reason to believe, that they the said Earl of Kerry and Anastatia Daly ever committed the crime of adultery together, or had the carnal know-

knowledge of each other's bodies, nor can he further depose.

CHRIST. CAMPBELL.

23d November, 1767.

The Deposition of Frances Dorey.

FRANCES DOREY, of Kensington Gore Lane, in the county of Middlesex, spinster, aged twenty-five years, deposes and says, that she lived as a servant with Anastatia Daly, one of the parties in this cause, for about seven weeks; and, to the best of her remembrance as to the time, it will be three years ago sometime about Christmas next; but the time more particularly she cannot recollect: that the said Anastatia Daly, during all that time, lived in a house in Queen Street, May Fair, and by so living with her, the deponent first came to know her. And she further saith, that on the first floor of the said house, there was a dining-room, a drawing-room, and a closet within such drawing-room; and the said Anastatia Daly's bed-chamber was up one pair of stairs higher; in which

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chamber, when this deponent first went into her service, there was a couch; which couch, in about a month after the deponent had been there, Anastatia Daly ordered to be brought down stairs, and put into the said closet next the drawing-room; which was accordingly done.

She further saith, that during the whole time she lived with Anastatia Daly, a gentleman (whom at first the deponent did not know) but whom she was informed, and now knows, was Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, came constantly every day, during the said time, to see and visit Anastatia Daly; that he sometimes came soon in a morning, and sometimes later, but always, during the said time, breakfasted, dined, and supped with Anastatia Daly; sometimes with other company, but, to the best of her recollection, generally alone. And she further saith, that, on the first day the deponent went into her service, she went up stairs with an intent to make the dining-room fire, together with one Mrs. Hart, Lord Kerry's house-keeper, (who

(who at that time lived with Mrs. Daly as her house-keeper) that upon their coming to the stair-head, they found the dining-room and the drawing-room doors fastened within side; one of which doors was on one side the stairs, and the other on the other side, but within the said rooms there was a door out of one into the other: that upon the said Mrs. Hart knocking at the said drawing-room door, Mrs. Daly asked who was there; to which she replied, it was her; and thereupon the door was opened, by pulling up a bolt which went with a line from the fire-side; but who opened the same she cannot say. That, upon the same being opened, the deponent went through the said drawing-room into the dining-room, and saw Mrs. Daly sitting on one side of the fire, and Lord Kerry on the other. And she farther saith, that afterwards she has often found the said door fastened withinside; and at some such times, Mrs. Daly and one Mr. Walsh have been alone in one of the said rooms, but for the most part she used to be alone with the Earl of Kerry: and, at such times,

when Mrs. Daly and Lord Kerry have gone out of the said rooms, the deponent used to go in to sweep them, and put the things to rights, and very often found, as well the couch which was placed in the said closet within the drawing-room, as also a couch which stood in the drawing-room, very much rumpled and tumbled, as if somebody had been laying on them; and the deponent, at such times, used to put the same to rights. And she further saith, that, by reason of the said couches being so tumbled, she does believe (at such times as Anastatia Daly and the Earl of Kerry were locked or fastened into the said rooms together, and the said couches, or one of them, were tumbled as aforesaid) they the said Anastatia Daly, and the Earl of Kerry, had committed the crime of Adultery together, and had the carnal use and knowledge of each other's bodies, and further she cannot depose.

The Mark ○ of
FRANCES DOREY.

25th Novem-

*25th November, 1767.**The Deposition of Charles Kelly.*

CHARLES KELLY, of Loughrea, in the county of Galway, in the kingdom of Ireland, Merchant, aged thirty years, deposes and says, that he went to live as a servant with Francis Thomas Fitzmaurice, Esq. commonly called the Earl of Kerry, at his house in Kildare Street, in the city of Dublin, some time in the month of November, 1762, and continued in his service till some time in the month of July, 1763; and, during all that time, and also for some time before, he had two sisters lived as servants with Charles Daly, Esq. and Anastatia Daly, his wife, the parties in this suit, in Kerry Street, in Dublin aforesaid; and by going to see them at Charles Daly's house in Kerry Street in Dublin, he first came to know Anastatia Daly by sight, but never to his knowledge saw the said Charles Daly, till some time in 1764; and then saw him relating to a law-suit, then depending between him and the Earl of Kerry, touching a criminal correspondence

spondence which was carried on between the Earl of Kerry, and Anastatia Daly. And he further saith, that during all, or the most part of the time, he so lived as a servant with the Earl of Kerry, the said Charles Daly was in the country, at a house he had at Loughrea aforesaid; and during that time, the Earl of Kerry, and Anastatia Daly, in the absence of her said husband, kept up a very intimate acquaintance and connection together, and very frequently visited each other at their respective houses alone; and the Earl of Kerry used very often to stay with Anastatia Daly till two and three o'clock in the morning; and one night, happening some time in the latter end of November, 1762, the deponent being at the said Anastatia Daly's house at Dublin, on a visit to his said two sisters, the Earl of Kerry came there to visit Anastatia Daly, and staid with her alone till between ten and eleven o'clock; that he then went away, as if going home; but, in a very few minutes, the deponent heard a knock at the door, and a man was
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let in by Anastatia Daly's woman; and the deponent saw such man go up stairs, towards the dining-room of Anastatia Daly's house: that soon after such person went up stairs, the said woman came down, and said Anastatia Daly was not well, and that all the servants must go to bed; and, as he believes, she took the key of the house door up stairs with her; and therefore the deponent was obliged to stay in Anastatia Daly's house all night; and, in the morning, finding he could not get out at the front door, therefore went out backwards: but, having some suspicion that the person who was let in and went up stairs in Anastatia's house, was Lord Kerry, by reason of the very great intimacy and connection that appeared to be between them, and also that it was suspected by every body that they did carry on a criminal correspondence together, the deponent went round into the street, and stood opposite Anastatia Daly's house, and from thence, about six o'clock in the morning, he saw the Earl of Kerry come out of the said house, and make towards his own: that the deponent followed

him till he had almost reached his own house, and then he run and got home some short time before him; and the deponent is sure that the Earl of Kerry did lay all that night in Anastatia Daly's house, and was the person so let in as aforesaid; and, by reason that there was no spare bed in the said house, the deponent does verily believe that the Earl of Kerry and Anastatia Daly did lay that night, naked and alone together, in one and the same bed, and did then commit the crime of adultery and fornication together. And he further saith, that very often, when Anastatia Daly hath been with the Earl of Kerry, at his house in Kildare Street, one Edward Hart, who was the said Earl's gentleman and confidant, used to give orders that none of the servants should go up stairs unless particularly called for; and, on one of those days, which was either the latter end of January, or the beginning of February, 1763, the said Edward Hart having omitted to give the deponent such directions, although he had given the same to most of the other servants,



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C. Brignion sculp.
The Earl of Kerry and M^{rs} Daly in the Dining Room.
See Trials for Adultery N^o 3, page 39
18. Nov^r 1780 by S Bladon.

servants, the deponent went up stairs into a drawing-room in the said house, in order to see if it was fit for the reception of some company that was then expected; that, upon opening the said dining-room door, he saw the Earl of Kerry and Anastatia Daly rising from a couch in the said room; that the surprize of opening the door made the Earl of Kerry turn about, and the deponent then saw that his breeches were down, and Anastatia Daly's petticoats were up, so that the deponent saw her naked thighs: that the Earl of Kerry was in a great passion with the deponent for coming into the room, and followed him to the door, with his breeches still down, at the same time saying to him, "Damn you, have not I given orders that nobody should come up here but Ned Hart," meaning the said Edward Hart, his gentleman. And he the deponent lastly saith, that he does verily and in his conscience believe, that the Earl of Kerry and Anastatia Daly had then been committing the crime of adultery together, and had the carnal use and knowledge of

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40 *Charles Daly, against Anastatia Daly.*

each others bodies upon the said couch, and further he cannot depose.

CHARLES KELLY.

S E N T E N C E.

Upon hearing the depositions of the evidence in this cause, a definitive sentence or final decree was given to the following effect, *viz.* That the said Anastatia Daly, after the solemnization and consummation of the marriage with Charles Daly, Esq. unmindful of her conjugal vow, and not having the fear of God before her eyes, but being instigated and seduced by the Devil, did in the years and months libellate, commit the crime of adultery with the Right Hon. Francis Thomas Fitzmaurice, Esq. commonly called Earl of Kerry, and did violate her conjugal duty: it is therefore pronounced and decreed that the said Charles Daly, Esq. ought by law to be divorced and separated from bed, board, and mutual cohabitation with the said Anastatia Daly, until they shall be reconciled to each other, and they are divorced and separated accordingly.

GEORGE CHRISTOPHER DEGEN,

AGAINST

CATHERINE DEGEN.

LIBEL given in the 5th of *December*,
1777.

THE above-mentioned libel sets forth, that George Christopher Degen, of Exeter, a batchelor, then twenty-nine years of age, made his addressees in the way of marriage to Catherine Furlong, spinster, (now Catherine Degen) who was then of the age of twenty-two years, and also lived at Exeter : that on or about the eighteenth of February, 1767, the said George Christopher Degen, and Catherine Degen, (then Catherine Furlong) were married to each other in the parish church of Saint Martin, in Exeter, according to the rites and ceremonies of the church of England : that they afterwards lived and cohabited together

ther as husband and wife, and consummated the said marriage by carnal copulation and the procreation of three children: that, in the month of December, 1773, one John Baptiste Larreguy, of Bayonne, in the kingdom of France, came to reside at Exeter, and carried on trade there, as a merchant, in copartnership with a house in London: that the said John Baptiste Larreguy, and George Christopher Degen, became very intimate, and frequently visited each other; and that, by means of this intimacy, Mr. John Baptiste Larreguy gained such an ascendancy over Mrs. Degen, that they carried on a criminal conversation with each other, and frequently had the carnal use and knowledge of each other's bodies, and thereby committed adultery, &c. the party proponent therefore prays right and justice to be effectually done and administered to him and his party in the premises, and that he may be divorced and separated from bed, board, and mutual cohabitation, with Catherine Degen, his wife, by reason of adultery by her committed, &c.

12th January, 1778.

The Deposition of Mary Osborn.

MARY OSBORN, (wife of Thomas Osborn, city-porter) cook and house-keeper to John Baker, Esq. of Northumberland Street, in the Strand, in the county of Middlesex, aged forty-five years, deposes and says, that, in the month of December, 1775, she the deponent was recommended by one Mrs. Goden, of Princes Street, Bedford Row, to attend a lady, whose name the deponent was then informed was Dunning, and who at that time lived or lodged next door to the said Mrs. Goden's in Princes Street: that, on the thirteenth day of December aforesaid, the deponent first went to the said Mrs. Dunning, who hired the deponent; that the said Mrs. Dunning was then removing from Princes Street aforesaid, to the house of one Mrs. Maurice, in Red-Lion-Street, Holborn: that the deponent well knows, from the circumstances herein after set forth, that the said Mrs. Dunning and Catherine De-

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4 *George Christopher Degen, against*

gen, party in this cause, was and is one and the same person, and no other; and the deponent also saith, that she lived as a servant to the said Mrs. Degen from the time she was hired, in December, 1775, till some time in May 1776, at the house of the said Mrs. Maurice, in Red-Lion-Street aforesaid: that the said Mrs. Degen was big with child when the deponent went to live with her; that the deponent understood she was a merchant's wife at Exeter; that she had one servant with her, whose name was Hannah Coker, who had come with her from Exeter in August, preceding December 1775, as the said Hannah Coker informed the deponent; and the deponent further saith, that on the twelfth day of February, 1776, the said Mrs. Degen was brought to bed of a female child, at the house of the said Mrs. Maurice, and the deponent is certain as to the day of the birth of the said child, because it was the day after the birth-day of a child of the deponent's; and she further saith, that Dr. Ford, of the Old Jewry, attended as man-midwife at the birth

birth of the said female child ; that Mr. Taylor, of Red-Lion-Street, was the apothecary ; that the said child was half baptized, but no more, and its name was Catherine ; but the said Mrs. Degen made many excuses why the child should not be wholly baptized, and said it should be done at Exeter, but the deponent believes it was only to avoid the child's name being registered : that, about three weeks after the birth of the said child, the husband of the said Mrs. Dunning, as he was called, came to Mrs. Maurice's house aforesaid, and staid there about a week, during the whole of which time he the said Mr. Dunning lived and cohabited with the said Mrs. Dunning, as she was called, as her husband, and lay with her every night naked and alone in one and the same bed, and the deponent had the care of the child in a light closet adjoining to the said Mr. and Mrs. Dunning's bed-chamber ; and when the child wanted to suck, she the deponent used to take it to the said Mrs. Dunning in bed, where she saw the said Mr. Dunning : that either once or

6 *George Christopher Degen, against*

twice afterwards, and before May 1776, the said Mr. Dunning came again to Mrs. Maurice's, where he and Mrs. Degen (called Mrs. Dunning) lived and cohabited as husband and wife, in all respects, and lay in one and the same bed together while he staid, which was about eight or ten days, and had the carnal use and knowledge of each other's bodies, and committed adultery together: that the deponent took notice that the shirts of the said Mr. Dunning were marked I. L. and she mentioned the same to the girl, Hannah Coker, afore said, who said he must have got two names; and the deponent replied, she dared say he had got three or four; for the deponent, and the people in the house and neighbourhood, thought there was something mysterious in the affair.

The deponent further saith, that about April, 1776, a brother of the said Hannah Coker's came to the said Mrs. Maurice's, and would not let his sister stay in the place any longer, and took her away; and then the deponent was the only person who attended Mrs. Degen: that one day,

she and the deponent being in discourse together, the deponent told her, that the neighbours suspected that Mr. Dunning was a married man, and had a wife, (not the said Mrs. Dunning) that, after some little time, she told the deponent that Mr. Dunning was not a married man, but that she was a wretch (as she termed it) and was married; and then disclosed her whole situation to the deponent, as she believes; for she said her real name was Degen, and that her husband was a merchant at Exeter; and that she had two children by him, and that the deponent's master's name was Larreguy; and that he had been introduced into her family as an acquaintance, on his coming to live at Exeter, about two years before the time she was talking to the deponent.

She further saith, that, after the afore-said declaration, she observed papers in the drawers with the name of Degen on them; for ~~then~~ Mrs. Degen was not reserved to the deponent: that her behaviour was very various, for sometimes she was very penitent, and much afflicted at having left her husband

husband and children ; and, at others, she would say, she would go to hell but what she would live with Larreguy : that, from the aforesaid particulars, and from having seen the producent in this cause, George Christopher Degen, she does firmly believe that Mrs. Dunning, and Mr. Dunning, (the pretended husband as aforesaid) and Catherine Degen (wife of the said George Christopher Degen) party in this cause, and John Baptiste Larreguy, were and are the same persons : that, after Mrs. Degen had informed the deponent who she really was, the deponent frequently gave letters to be put in the post, directed to Mr. Larreguy, at Exeter, which the deponent saw Mrs. Degen write ; and Mrs. Degen used to receive letters from Mr. Larreguy, which she frequently read to the deponent ; and which were full of expressions of love and tenderness : that such letters from Mr. Larreguy did not come by the post, but were brought by a porter, or somebody from Mr. Crimso's, in Joiner's Buildings, Thames Street ; Mr. Crimso being a partner

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ner in business with Mr. Larreguy, and the deponent frequently went there for money.

She also deposes and says, that in May, 1776, Mrs. Degen having been disappointed in not seeing Mr. Larreguy, and being out of all patience (as the deponent believes) sent the deponent to buy her a suit of man's cloaths to fit her, which the deponent accordingly did, and Mrs. Degen put on the cloaths, and took the deponent and the child in a post-chaise, and sat off for Exeter, to see Mr. Larreguy, notwithstanding her husband lived at Exeter also, and within a stone's throw, as the deponent understood, of Mr. Larreguy's house: that they went on and travelled all night, without stopping to sleep, till they got to Exeter, where they arrived about eight o'clock, or dusk; and went to an inn there, called the Bristol Inn, where Mrs. Degen left the deponent and the child, whilst she went to Mr. Larreguy's house, and she was then in man's cloaths, and returned in less than an hour, accompanied by Mr. Larreguy, who (a post-chaise having

10 *George Christopher Degen, against*

having been ordered) got into the same with Mrs. Degen, the deponent, and the infant, and away they went to a place called Ottery St. Mary's, about twelve or thirteen miles from Exeter, and arrived there about two o'clock in the morning, at an inn called the King's Arms, where they staid for two days, and where Mrs. Degen and Mr. Larreguy lay in one and the same bed, naked and alone together, and had, as the deponent firmly believes, the carnal use and knowledge of each other's bodies, and committed the crime of adultery together: that the deponent and the child lay in the room adjoining to Mrs. Degen's bed-chamber: that it was thought at the said inn (owing to Mrs. Degen's being in man's cloaths) that the deponent, and Mr. Larreguy, and the child, slept together, and that Mrs. Degen lay by herself: that after they left Ottery St. Mary's, they went cross roads till they came to a place called Newton Poppleford, where they dined the next day, and they staid there between a fortnight and three

three weeks, at an inn called the Exeter Inn, kept by one Livermore : that, after they had been there about a week, Mrs. Degen changed her dress, and put on her own cloaths ; for, when she walked out, people would say that she was a woman : that, during their stay at the said inn, Mrs. Degen and Mr. Larreguy lay constantly together in one and the same bed, naked and alone, and had the carnal knowledge of each other's bodies, as the deponent verily believes, and committed the crime of adultery ; and the deponent frequently saw them in bed together at the said inn, for she used to carry the child to Mrs. Degen, for her to suckle it in bed.

She further saith, that, Mr. Larreguy did not stay the whole time at the said inn at Newton Poppleford, for he went occasionally to attend his business at Exeter, which was about eleven miles distant : that, after they had been at such inn about a fortnight, Mrs. Degen enquired if she could not get a little house in the neighbourhood, and was then recommended to one farmer Denner, at Boade, about four

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or five miles from the said inn ; and Mrs. Degen, the deponent, and the infant went thither ; that it was on a Tuesday, as she thinks, that they went thither ; and, on the Saturday following, Mr. Larreguy came in the afternoon to the said farmer's house to tea, with an intent to have slept there : that, after tea in the said afternoon, the farmer's wife shewed the deponent a letter which she had received from her daughter, who lived with the Rev. Mr. Cooke, (who owned the said farm-house) and who had married a sister of the said farmer's wife ; which letter informed her, that the woman who lodged at her house was a married woman, that her name was Degen, and that her maiden name was Furlong, and that her husband would be there (at the farm house) at eleven o'clock that night, with a few friends, in order to surprize Mrs. Degen in bed with another man : that the said farmer's wife, Mrs. Denner, seemed much frightened, and gave the deponent the letter ; and the deponent went out to find Mrs. Degen, and Mr. Larreguy, who were then out a walking,

walking, that the deponent found them, and shewed them the said letter, and Mr. Larreguy was much alarmed, more so than Mrs. Degen: that, by the deponent's advice, Mr. Larreguy got his horse, and went back to Exeter, and Mrs. Degen and the deponent went to the farm-house; that they did not go to bed that night; that, between eleven and twelve that night, there was a knocking at the farmer's door, and a person said his name was Joe Harris, and he desired to be let in, as he had got some smuggled brandy; that the said person, after some time, was let in, and there were two gentlemen with him: that one of them made himself known, and said his name was Degen, and that he insisted on searching the house, for his wife was there: that Mrs. Degen then came down stairs with great composure, and the gentlemen knew her, and Mr. Degen began to be in a violent passion: that Mrs. Degen bravadoed it out, and talked of her child, and told the deponent to bring it down, and the husband said he would dash its brains out, if she brought

it ; and Mrs. Degen told her said husband it was none of his child, and that he should not have the credit of it, and there was quite a scene of confusion, during which, Mrs. Degen took the deponent on one side, and told her there was nobody could appear against her ; but the deponent then told her, if she was put to her oath, she should tell the truth : that Mrs. Degen then wished the deponent to get out of the way ; and she spoke to the farmer's boy to take the deponent behind him on horseback to Honiton, the next market-town : that she gave the deponent three guineas, and the deponent set off about two o'clock in the morning, and got to Honiton, about five o'clock, and that day set off for London ; and it was then about the twenty-fourth of June, 1776 ; and the deponent saw Mrs. Degen again, some time in August following, and she sent for her from her present place, at Mr. Barker's, to Mrs. Maurice's aforesaid, and she said she was going to France, and she told the deponent that Mr. Larreguy had been arrested by her husband, but that he
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had got off, for he was arrested by a wrong name: that the deponent hath never seen Mrs. Degen since, and believes she went to France; though she hath heard she hath been since in London: that when Mrs. Degen was in town in August, as aforesaid, she gave the deponent an order to go to Mr. Crimso's to receive her wages, which were accordingly paid her there.

MARY OSBORN.

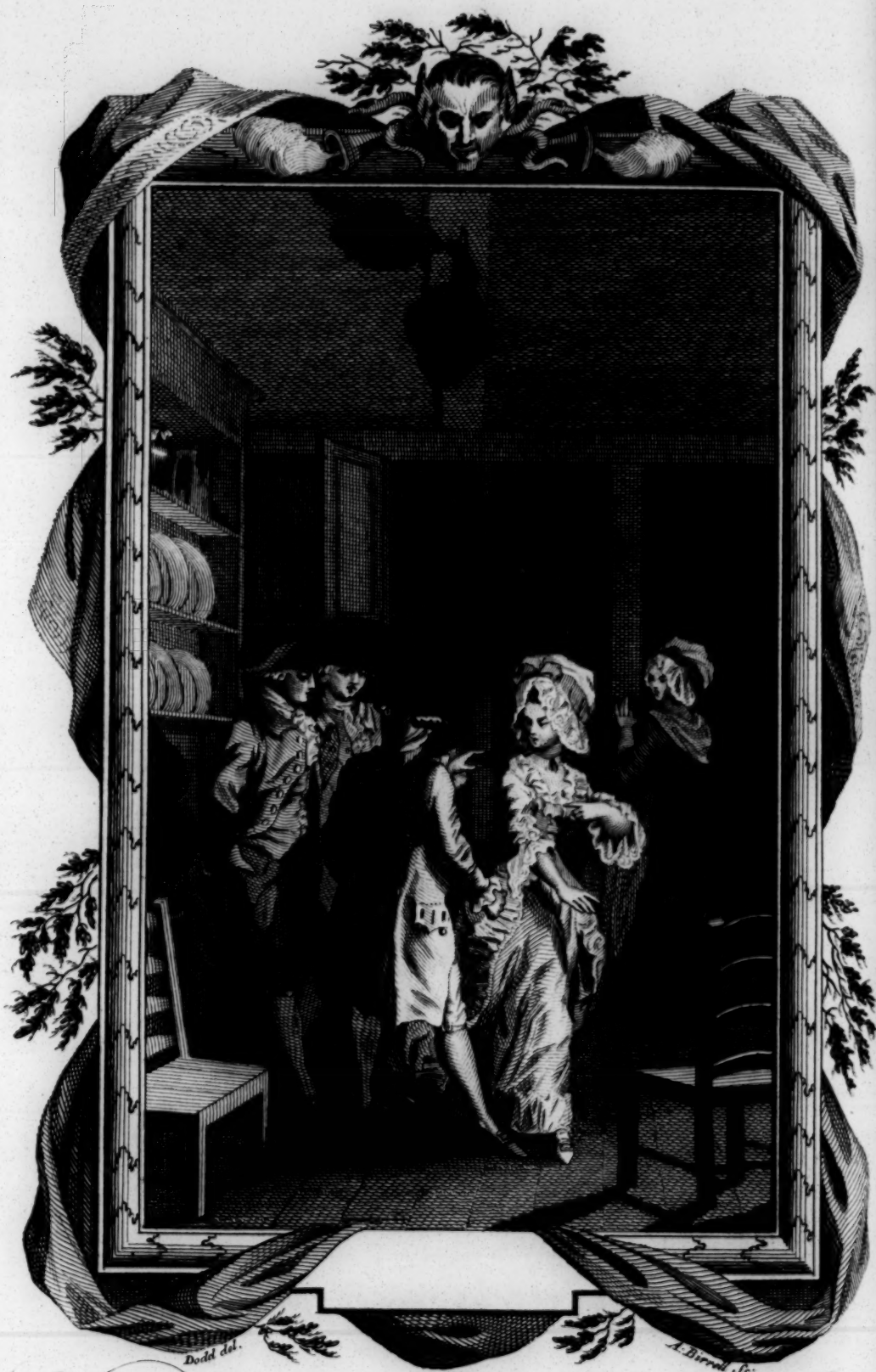
13th January, 1778.

The Deposition of Hannah Coker.

HANNAH COKER, spinster, now lodging with Mrs. Ward, in White-Hart-Yard, in Catherine Street, in the Strand, in the county of Middlesex, aged nineteen years and upwards, a witness produced and sworn, deposes and says, that about June or July, 1775, to the best of her knowledge and belief as to the time, she went to live as nursery-maid with the two children

dren of the parties in this cause, George Christopher Degen, and Catherine Degen, his wife, at their house in Holloway, in the city of Exeter : that the deponent's mother was baker to Mr. and Mrs. Degen ; and, for about a fortnight before the deponent became their servant, she worked plain work for Mrs. Degen : that the deponent well knows John Baptiste Larreguy, who was a merchant at Exeter, and came to know him by his coming to Mr. Degen's house at Exeter, and visiting there ; particularly when Mr. Degen was out : and he used then to come and be frequently alone with Mrs. Degen ; and generally on a Saturday and a Thursday, just as Mr. Degen used to be engaged at his club, to spend the evening out ; and if Mr. Larreguy did not happen to come to see Mrs. Degen when Mr. Degen was out, she used to go to Mr. Larreguy : and the intimate connection between Mrs. Degen and Mr. Larreguy used to be the public talk of Exeter : that Mr. Larreguy used generally to be alone with Mrs. Degen in her bed-chamber, when Mr.

Degen



*Mr. Degen discovers M.^r Larreguy & M.^{rs} Degen.
 at a Farm-House, after M.^r Degen's Elopement.*
Published as the Act directs, by S. Bladen, 14 Old St. 1780. See N.^o 18. pa. 13. of Trials for Adultery.

Degen was out : that, during the time the deponent lived with Mrs. Degen at Exeter, Mr. Degen did not lye in the same bed or room with his wife, but the deponent used to lye in Mrs. Degen's room : and she believes Mr. Degen suspected there was a criminal intercourse between his wife and Mr. Larreguy, for he used continually to ask the deponent if Mr. Larreguy had been there ; and whether Mrs. Degen was sick ; and whether the deponent thought she was with child, or not : that Mrs. Degen used to tell the deponent, that if she ever saw her sick, never to speak of it.

She further deposes and says, that, after she had lived about a month at Mr. Degen's house, at Exeter, Mrs. Degen asked her if she should like to go to London ? and, the deponent telling her she should like it, she said she had told Mr. Degen that she was going to see her sister, Mrs. Banfill, at Dartmouth, but that she was going to London : that the deponent believes Mr. Degen suspected that Mrs. Degen was not going to her sister, because he went to the inn

inn to pay for the post-chaise, in order to be certain (as he thought) that she was to go to Dartmouth : that Mrs. Degen set off about six or seven o'clock on the Wednesday morning, as if for Dartmouth ; and, before she went, she directed the deponent to meet her on Thursday night, at Mr. Larreguy's, in Exeter ; and the deponent was to say to Mr. Degen, that she was going to live with a serge-maker, some miles from Exeter : that the deponent did as Mrs. Degan had settled it ; and went on the Thursday night to Mr. Larreguy's : and Mrs. Degen was there at supper along with Mr. Larreguy ; that, at twelve o'clock that night, Mrs. Degen, Mr. Larreguy, and the deponent, went to Southway Green, in Exeter, where a post-chaise was waiting, and Mrs. Degen and the deponent got into it, and Mr. Larreguy went home ; and the chaise went on for London, where they arrived (taking fresh chaises all the way) on Saturday afternoon ; and they went first to Water Lane, and then sent to Mr. Crimso, who was out of town, but had left a letter for Mrs. Degen, informing

ing her that lodgings were taken for her in Hatton Garden, at one Mrs. Currier's : that Mrs. Degen and the deponent went thither, and staid there a week ; and Mrs. Degen went by the name of Danvers : that Mr. Crimso then took Mrs. Degen and the deponent to his country-house at Walham Green ; where they staid about a fortnight, and then returned to one Mrs. Godin's in Princes Street, Bedford Row, where they staid about a week, and then Mrs. Degen took the name of Dunning ; and she and the deponent then went to one Mr. Saunders's, a taylor's, in East Street, Lamb's Conduit Street, where they staid about two months ; in which time Mr. Larreguy came twice, if not oftener, to see Mrs. Degen, and he passed for her husband, and went by the name of Dunning ; and staid there three or four days, or a week at a time : and Mrs. Degen and Mr. Larreguy, during the aforesaid time, lived and cohabited together, in all respects, as husband and wife, and lay in one and the same bed, naked and alone, and had, as the deponent verily believes, the carnal

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use and knowledge of each other's bodies, and committed adultery together; and the deponent saw them in bed together several times, in East Street aforesaid: that, from East Street Mrs. Degen and the deponent removed to a house next door to Mrs. Godin's, but the deponent forgets the name; and they staid there about three weeks, when they removed to one Mrs. Maurice's, in Red-Lion-Street, Holborn, where the deponent's fellow-witness, Mrs. Osborne, came and lived as a nurse and servant to Mrs. Degen, who was then big with child; and Mrs. Degen there went by the name of Dunning, and she was brought to bed there on the twelfth of February, 1776, of a girl; and the deponent knows the day, because she often afterwards heard the nurse speak of the day; that Mr. Larreguy came twice at least to Mrs. Maurice's, and staid there about a week each time; and lived and cohabited with Mrs. Degen as her husband, and went by the name of Dunning; and, during the said time, Mr. Larreguy and Mrs. Degen lay together every night, in
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one and the same bed, naked and alone, and committed the crime of adultery together: and the deponent frequently saw them in bed together at Mrs. Maurice's: and the deponent lay in the room adjoining to their bed-chamber, with nurse Osborne and the child: that, after Mrs. Degen had lain in about six weeks, or two months, the deponent's brother came to Mrs. Maurice's, and would not let the deponent live any longer with Mrs. Degen, and took her away, but the deponent went afterwards frequently to see Mrs. Degen at Mrs. Maurice's: that some few weeks after the deponent left Mrs. Degen's service, Mrs. Degen went to Exeter, and took the nurse and child with her; and she went in men's cloaths, as the deponent afterwards understood from the nurse, but she hath never seen Mrs. Degen since the said Mrs. Degen left Mrs. Maurice's, to go to see after Mr. Larreguy; as the nurse told the deponent: the deponent farther saith, that, from the time it was settled between Mrs. Degen and the deponent, for them to come to London, Mrs. Degen

22 *George Christopher Degen, against*

did not keep her connection with Mr. Larreguy a secret from the deponent; and, on the evening they set out for London, she told her that she had slept the night before with Mr. Larreguy; and she also told the deponent that the last child she had at Exeter, and whose name was John, was Mr. Larreguy's child, and not Mr. Degen's, her husband's; for that he had not had any connection with her; that, when the deponent went to live with Mr. and Mrs. Degen, at Exeter, the said child had been dead some weeks, and it was six months old when it died.

The Mark X of
HANNAH COKER,

26th January, 1778.

The Deposition of Elizabeth Collier.

ELIZABETH COLLIER, spinster,
now residing in Millman's Row, in Chelsea, in the county of Middlesex, with
Mrs. Catherine Degen, party in this cause,
aged

aged about twenty-nine years, a witness produced and sworn, deposes and says, that she well knows George Christopher Degen and Catherine Degen, his wife, parties in this cause; and about seven years ago went to live with them, as their servant, in the city of Exeter, and continued in their service for between four and five years: that the deponent well knows John Baptiste Larreguy, and hath known him upwards of three years past, as she best recollects; that Mr. Larreguy used frequently to come to Mr. Degen's house, when the deponent lived there; and Mr. and Mrs. Degen used to go to dine, or visit, at Mr. Larreguy's, who was a merchant, and lived at Exeter aforesaid; that Mr. Larreguy used to be sometimes at the house of Mr. Degen, when Mr. Degen has not been at home, and he frequently supped alone there with Mrs. Degen; and sometimes he went away before Mr. Degen came home at night, and sometimes he staid till he returned home: that, some time (about six weeks or more) before Mrs. Degen left Mr. Degen's house, she
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and Mr. Larreguy seemed to be very intimate and familiar with each other, in their manner and conversation : that two years ago last August, Mrs. Degen left her husband's house, and she said she was going to see her sister, one Mrs. Anne Banfill, who lived at Dartmouth, in Devonshire ; and the deponent saw her go in the post-chaise, and Mr. Degen went with Mrs. Degen to the chaise ; but the deponent saw her again that evening at Mr. Larreguy's, and she sent to the deponent to come to her : that the deponent knows not that Mr. Degen knew she was there ; that the deponent was not above two minutes with Mrs. Degen, and knows not what she sent to the deponent for, but she gave the deponent a present of half a guinea ; and said she was going to London.

She further saith, that, she believes Mr. Degen hath never had any intercourse, or connection with his said wife, since she went away in August, as before set forth ; and it was for several months before that time, that Mr. and Mrs. Degen did not sleep together ; which the deponent believes,

lieves, was owing to Mr. Degen's being very unhappy about his wife, for he did not like that any man should speak to her; and he seemed to be particularly displeased at her intimacy with Mr. Larreguy: that when the deponent lived with the said parties in this cause, they had three children, and the last was born about five or six months before Mrs. Degen left Exeter, and told the deponent she was going to London as aforesaid.

She further deposes and says, that she continued in Mr. Degen's service about three or four weeks, after Mrs. Degen left her husband as aforesaid; that, about eleven or twelve months afterwards, Mrs. Degen came to Exeter to her sister's, one Mrs. Churchill, on David's Hill, in Exeter; and the deponent hearing the same, went to see her there, and Mrs. Degen staid there about a month or six weeks; and she had a child with her, a girl about five or six months old, which she suckled; that when Mrs. Degen left her husband, as aforesaid, she was with child; that after she had been with her said sister about

five or six weeks she sent for the deponent, who was then out of place, and lived about three miles from Exeter, with her mother, and asked her to go to London with her; and they came to London together with the child; and they first went to one Mr. Crimso's, in Thames Street, who was a partner with Mr. Larreguy in business, and they then went to Mr. Maurice's in Red-Lion-Street, where, as the deponent was told by Mrs. Degen, the said Mrs. Degen had lain in of the said child; that Mrs. Degen was not called there by her own name, but went by the name of Dunning; that they staid at Mrs. Maurice's but a few hours, and then Mrs. Degen and her child, and the deponent set off for Dover to go to France, whither Mr. Larreguy was gone a few days before, and had sent to Mrs. Degen to come to him; and she shewed the deponent, or read his letter, inviting and desiring Mrs. Degen to come to him at an inn in Calais; which was called, as the deponent thinks, the Table Royal; that, when they arrived at Calais, they went to the said inn, Mr. Larreguy

Larreguy having waited for their landing, and received them there : that they staid at the said inn from Wednesday till Friday, when they set off for Paris ; that at the said inn at Calais, Mr. Larreguy and Mrs. Degen lay together all night in one and the same bed together, and the deponent saw them in bed together, and verily believes they had the carnal use and knowledge of each other's bodies, and committed the crime of adultery ; that they all staid in Paris together one month, at a lodging-house, but the deponent knows not the name of the street ; that the people's name who kept the house was Miniet : that, during the said time they were at Paris, Catherine Degen, and John Baptiste Larreguy, lived and cohabited together in all respects as husband and wife, and lay together constantly in one and the same bed, naked and alone, and committed the crime of adultery together, as the deponent verily believes ; and the deponent saw them in bed together, for the child sucked Mrs. Degen, and the deponent used to take the child to her in the evening,

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when she and Mr. Larreguy were in bed, and to take it away in the morning: that, from Paris, they travelled on to Bayonne, where Mr. Larreguy's relations lived: that Mr. Larreguy took a house there for Mrs. Degen (who went by the name of Larreguy) and the child, and the deponent: that Mr. Larreguy lived with his mother at Bayonne, but used to come every day to see Mrs. Degen; that Mrs. Degen was not seen or visited by Mr. Larreguy's relations, except that his brother once saw her: that, after staying at Bayonne about ten months, Mrs. Degen, with her child, and the deponent, took shipping for England; leaving Mr. Larreguy at Bayonne, in France, and the deponent hath never seen Mr. Larreguy since: that, the deponent thinks it is about four months ago, since she arrived with Mrs. Degen, and the child, at Portsmouth; and they were about ten days on their passage; that after they arrived at Portsmouth, they went to one Mr. Winckley's, an oilman, in Theobald's Row, in London, where they staid about five weeks; but they first went to one

one Mr. Stevens's, in Sherborne Lane, London, where they staid about three months; that from Theobald's Row, they removed to Chelsea, and went there on Wednesday last, and Mrs. Degen goes by the name of Larreguy, and she is now with child, and within about a month of her time.

The Mark X of
ELIZABETH COLLIER.

27th January, 1778.

The Deposition of Mary Maurice.

MARY MAURICE, of Red-Lion-Street, Holborn, London, widow, aged about sixty-six years, a witness produced and sworn, deposes and says, that about Christmas, 1775, a gentleman, then a stranger to the deponent, and the daughter of one Mrs. Godins, of Princes Street, Bedford Row, and a servant-maid, called Hannah, all three came to the deponent's house in Red-Lion-Street, and looked at lodgings the deponent had to let, and the

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lady said she would advise with her friends, and let the deponent know whether she would take the lodgings or not: and a few days afterwards the said lady came again, and one Mr. Crimso, of Joiner's Buildings, in the city, was then with her; and she took the lodging, which consisted of a first floor and three rooms, viz. a dining-room, a large bed-chamber, and a small bed-chamber; and two bed-rooms, a large one and a small one, up two pair of stairs: that the said lady was then big with child, and had then only one maid-servant, named Hannah, but after Christmas, as the deponent best recollects, a nurse, one Mrs. Osborne, came to attend the said lady: that such lady was called Mrs. Dunning; and, on her first coming to live in the said lodgings, the said Mrs. Dunning's husband (as she took him to be) came with her, and staid and cohabited with her for above three weeks; and he then went to Exeter, as the deponent understood, where he was a merchant: that about a month afterwards, the said gentleman came again to the deponent's house, and he was called Mr. Dunning, and

and passed for the said lady's husband : that he then staid about two or three weeks : that Mrs. Dunning had then lain in, or was about lying in, for she was brought to bed in the deponent's house of a daughter ; and she thinks it was Dr. Ford of the city, who attended as a man-midwife : that the deponent thinks the said child was called Kitty, that she thinks Mrs. Dunning was near half a year in the deponent's house ; and that then she went away, and said she was going to Exeter ; and she took her nurse and the child with her : that Mr. Dunning was at the deponent's house about three times, as the deponent thinks, but she cannot be positive thereto : that she cannot take upon herself to say whether he and the said lady lay together, or not, for a certainty ; but, as she looked upon them to be husband and wife, and they passed as such, she took for granted that they did lie together, in one and the same bed, and knows nothing to the contrary, but that they slept together : the deponent further saith, that after Mrs. Dunning had left the deponent's house, as aforesaid, she received a note from Mr. Crimso,

Crimso, * which she has hereto annexed : that Mr. Crimso paid the deponent for Mrs. Dunning's lodgings ; that some weeks after Mrs. Dunning left the deponent's to go to Exeter, as aforesaid, she came to the deponent's and staid a few hours, and set off then for Dover, to go to France, as she said, and the deponent hath never, to her knowledge, seen her since : that she had then her said child with her, and a maid called Betty : that the deponent believes the aforesaid lady, who went by the name of Dunning, to be Mrs. Degen, party in this cause, because last Michaelmas was twelvemonth, a gentleman, whom the deponent understood to be Mr. Degen, of Exeter, from what he said, enquired about the said Mrs. Dunning, and told the deponent that he was her husband.

MARY MAURICE.

* Mrs. MAURICE,

Please to take notice that Mrs. Dunning intends quitting the lodgings she has at your house, by this day three months, I shall pay you the rent in course.

Your humble servant,

LONDON,
June 25, 1776.

LEWIS CRIMSO.

*27th January, 1778.**The Deposition of Lewis Crimso.*

LEWIS CRIMSO, of Joiner's Buildings, in Thames Street, London, merchant, aged near thirty years, deposes and says, that he well knows George Christopher Degen, and Catherine Degen, his wife, parties in this cause, and hath so done for two or three years last past; and he also well knows John Baptiste Larreguy articulate; who was the deponent's clerk: that the said Mr. Larreguy went in or about November, 1773, to Exeter, to settle in business there as a merchant: that, at the desire of the said Mr. Larreguy, the deponent did in the summer of the year 1775, take lodgings for a lady, whom the deponent suspected, and afterwards found to be Mrs. Degen, party in this cause, at a house in Hatton Garden, but the deponent forgets the name of the people who kept it: that Mrs. Degen, whom the deponent had seen at his house a little time before Mr. Larreguy first went to Exeter, came to London with a maid-servant, and

went to the said lodgings ; and the deponent saw her there two or three times, and she staid there a few days, and then removed to one Mrs. Godin's, in Princes Street, Bedford Row, for a few days, and from thence she went to East Street, at a taylor's (but the deponent forgets the man's name) where she staid about a fortnight or more, and then she went to one Mrs. Maurice's in Red-Lion-Street, Holborn, where she staid about five or six months, and lay in there, and then went to Exeter ; and the deponent paid Mrs. Maurice for the said lodgings : that Mr. Larreguy came to London three or four times while Mrs. Degen lodged at Mrs. Maurice's, and staid a week or a few days each time ; and used to reside with Mrs. Degen, and the deponent believes he lay at Mrs. Maurice's house : that she the said Mrs. Degen was called Mrs. Dunning ; that the child, the said Mrs. Degen was brought to bed of at Mrs. Maurice's, was a girl, and it was called Kitty : that about the end of July, 1776, the said Mr. Larreguy went to France, and the deponent
went

went with him as far as Dover; and in a few weeks afterwards Mrs. Degen came up to London from Exeter, and followed the said Mr. Larreguy to France: and the deponent saw her at Mrs. Maurice's the day, or the day before, she set off for France, and she had her said child with her, and she had also a maid-servant with her: that Mrs. Degen has been returned from Bayonne, in France, about three or four months; and the deponent further saith, that he well knows, that in July 1776, a few days before Mr. Larreguy set off for France, the aforesaid Mr. Degen brought an action against Mr. Larreguy in the King's Bench, or some court at law, for criminal connection with the said Mrs. Degen, his wife; and the deponent believes Mr. Larreguy was arrested in consequence thereof, for he was told so by one Mr. Samuel Rabole, of Exeter, who is a clerk or agent to the deponent there, and that Mr. Larreguy was discharged, by reason that he had been called in the action by a wrong name; to wit, by the name of John Lewis Larreguy, instead of John

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Baptiste

Baptiste Larreguy : that the deponent saw Mr. Degen a few days after the said arrest ; and he was in a violent passion at Mr. Larreguy's having got released by reason of the said mistake ; and further he cannot depose.

LEWIS CRIMSO.

11th February, 1778.

The Deposition of William Luke.

WILLIAM LUKE, of West Smithfield, London, linen-draper, aged twenty-one years, deposes and says, that, to the best of his knowledge, and as he verily believes, the exhibit marked No. I, is, or contains a true copy or extract from the register-book of marriages belonging to the parish of St. Martin, in the city of Exeter, and agrees with the original entry in the said register-book, by reason that, he the deponent, did, on the thirty-first of January last (he being then at Exeter) inspect the said register-book, and which was produced to him by the parish-clerk
of

of the said parish of St. Martin, and did from thence make a copy of an entry of the marriage articulate, and carefully collated the said copy with the said entry, and found the same to agree therewith, and having now the said copy he made and collated as aforesaid, and having compared the same with the aforesaid exhibit, marked No. I. finds the said copy and the said exhibit to agree in substance with each other; and further he cannot depose, but begs leave to annex the said copy he made and collated as aforesaid, to this his deposition, and saith, that he just knows Mr. Degen, the producent, by sight, by having seen him about three years ago at Exeter, where the deponent then lived, and by having also seen him since; and the deponent doth believe that George Christopher Degen, and Catherine Furlong, (now Degen) as articulate, mentioned in the aforesaid original entry and in the said exhibit, and George Christopher Degen, and Catherine Degen, parties in this cause, were and are the same persons, and not diverse.

WILLIAM LUKE, jun.

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S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, a definitive sentence or decree was promulged to the following effect, viz. That Catherine Degen, after the solemnization and consummation of her marriage, with George Christopher Degen, being altogether unmindful of her conjugal vow, and not having the fear of God before her eyes, and moved by the instigation of the devil, did, in the years and months libellate, commit the crime of adultery with John Baptiste Larreguy, and did thereby violate her conjugal duty, &c. it is therefore pronounced and decreed that George Christopher Degen shall be divorced, &c. from bed, board, and mutual cohabitation with Catherine Degen, his wife, on account of adultery, &c.

CLOTWORTHY DOBBIN,

AGAINST

MARY MACNAMARA DOBBIN.

LIBEL given in the 31st of *January*,
1778.

THE libel sets forth, that in the months of August, September, October, and November, 1771, Clotworthy Dobbin, paid his addressees of love and courtship, in the way of marriage, to Mary Macnamara Davis, spinster; and that on, or about the twelfth of November, 1771, the said Clotworthy Dobbin, and Mary Macnamary Davis, (now Mary Macnamara Dobbin) were lawfully joined together in holy matrimony, in the church of St. Catherine, in the island of Jamaica: that they lived and cohabited together as husband and wife, in the said parish of
St.

2. *Clotworthy Dobbin, against*

St. Catherine, in the island of Jamaica, and consummated their marriage by carnal copulation and the procreation of children; that the said Clotworthy Dobbin was, and is a man of a sober and virtuous life and conversation, and one who would not be guilty of a breach of his marriage vow: that in or about the month of May, 1776, the said Clotworthy Dobbin's affairs requiring him to come to England, he took his departure from Jamaica, and came to London; and that, during his absence, the said Mary Macnamara Dobbin, became acquainted with one Francis Duffield, Esq. then an officer in the army, and stationed at Spanish Town, in Jamaica; and soon afterwards, being totally forgetful of her marriage vow, entered into a criminal intercourse and correspondence with the said Francis Duffield; and from that time they were continually together, and were seen and observed to kiss and take great liberties with each other, and to talk in the most endearing manner to each other; and very frequently lay, naked and alone, in one

and the same bed together ; and committed the crime of adultery together, &c.

2d February, 1778.

The Deposition of John Darby.

JOHN DARBY, of Gray's Inn, in the county of Middlesex, gentleman, aged twenty-two years, a witness produced and sworn, deposes and says, that he doth not know Mary Macnamara Dobbin, (wife of Clotworthy Dobbin) party in this cause, but he doth know the said Clotworthy Dobbin, and hath known him about a fortnight ; and first came to know him by seeing him at the office of Messrs. Gregg, and Potts, attornies at law, at Skinner's Hall, Dowgate Hill, London, to whom the deponent is clerk ; and who were applied to by the said Clotworthy Dobbin to proceed, and were proceeding in his behalf against Francis Duffield, for the recovery of damages sustained by the said Clotworthy Dobbin, in the seduction of his wife, the said Mary Macnamara Dobbin, by the

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said

saïd Francis Duffield ; and this deponent doth verily and in his conscience believe, that on the thirteenth day of January last, judgment was given in the cause instituted by the saïd Clotworthy Dobbin, against the saïd Francis Duffield, for the recovery of such damages ; and that it was then decreed, that the saïd Francis Duffield should pay to the saïd Clotworthy Dobbin, the sum of two hundred pounds, for such damages ; and the further sum of eleven pounds and eight-pence, for his costs ; by reason, that on the thirty-first day of the saïd month of January, this deponent examined the paper-writing, marked with the letter B, with the original record or judgment given in such cause, and which then was and now is, as he doth verily believe, in the custody of the clerk of the Court of King's Bench, at Westminster ; and he well knows that the saïd paper-writing, marked B, contains a true copy of the saïd record or judgment ; and in testimony of his having so examined the saïd copy with the saïd original, and of its agreeing therewith, he subscribed the
name,

Mary Macnamara Dobbin.

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name, " John Darby," in manner and form as now appears thereon ; he, this ponent, having now seen, and carefully perused the same,

JOHN DARBY.

2d February, 1778.

The Deposition of Thomas Stubbin.

THOMAS STUBBIN, of Acton, in the county of Middlesex, hair-dresser, aged about twenty-four years, a witness produced and sworn, deposes and says, that he hath known Clotworthy Dobbin, one of the parties in this cause, about ten months ; and first came to know him by seeing him in Spanish Town, in the island of Jamaica, where he and this deponent then resided, the said Clotworthy Dobbin being then just returned from England : and he hath known Mary Macnamara Dobbin, (wife of the said Clotworthy Dobbin) about fourteen months, and first came to know her by being servant to the said Francis Duffield,

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Esq.

Esq. then a lieutenant, and now a captain in his Majesty's sixtieth regiment of foot; and attending him when he went to see and visit the said Mary Macnamara Dobbin, at her husband's house, at Spanish Town: he further saith, that when he so came to know Mary Macnamara Dobbin, the said Clotworthy Dobbin had been absent from the island of Jamaica several months, leaving his wife and their four children, in Spanish Town, aforesaid; and soon after he came to know her, a very great intimacy took place between the said Mrs. Dobbin and Francis Duffield, Esq. and they were frequently together; but he never observed them to kiss, or take indecent liberties with each other; nor did he ever hear them talk to each other in an endearing manner; nor doth he know that they ever lay together, naked and alone, in one and the same bed, at the said Clotworthy Dobbin's house, at Spanish Town, or elsewhere, within the said island of Jamaica; but he doth verily believe, that they frequently lay together, naked and alone, in one and the same bed, at the said Clotworthy

worthy Dobbin's house, at Spanish Town, and had the carnal use and knowledge of each other's body, and thereby committed adultery at such times; by reason that the said Francis Duffield, Esq. frequently staid from his own house all night, and when he returned home the next morning, told this deponent, that he had been at Mr. Dobbin's all night, and lay with Mrs. Dobbin, (thereby meaning the said Mary Macnamara Dobbin) and that she was a charming little bed-fellow.

He further deposes and says, that, on a day, happening in or about the month of March, 1777, the time more particularly he cannot recollect, the said Francis Duffield said to this deponent, " I have a
" secret to impart to you, which I beg
" you'll keep, for if you divulge it, it
" will be the ruin of me," or to that effect; and, upon this deponent's promising secrecy, he informed him, that he designed to take a married woman off the island of Jamaica, and asked this deponent if he could guess who it was? And this deponent, well knowing the intimacy which subsisted
between

between Francis Duffield, Esq. and Mrs. Dobbin, told him, that he supposed it was Mrs. Dobbin; and he answered, it was; and then begged the deponent not to give a hint thereof to any person, and said, that he confided more in this deponent than he did in any of his brother officers; and, in the morning of the ninth of April, 1777, the said Francis Duffield, Esq. told this deponent not to drink any thing that day, as he had something particular for him to do in the evening; and, about five or six o'clock in the afternoon of the said day, he desired this deponent to go to Mrs. Dobbin, at her house, and assist her in bringing some of her things to his house; and at the same time gave this deponent a note, directed to her, which he read, and well remembers that the purport thereof was to inform her, that she need not be apprehensive of any danger from trusting this deponent with her things, as she might put as much trust and confidence in this deponent as she could in him: and he further desired this deponent to lock up what things Mrs. Dobbin gave him, in
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the said Francis Duffield's dressing-room, in his house, and let no person whatever see them: that this deponent delivered the said note to Mrs. Dobbin, who, after reading the same, told him, that the most proper time for him to come would be about eleven or twelve o'clock that night, and she would get her things ready by that time; and desired this deponent to walk backwards and forwards until she opened her window; and accordingly he attended at the time she appointed, and she opened a window in her said husband's house, and gave him several little boxes and trunks, and desired him to carry them to the said Francis Duffield's house, and to come back again for more, and to be very cautious that no person saw them: that, after having carried them to the said Francis Duffield's house, and left them there, he returned and received other trunks, bundles, and boxes, from her, which he carried and left in the same manner; and what he so received from Mrs. Dobbin, was afterwards, by the direction of the said Francis Duffield, shipped on board

his Majesty's sloop Badger, then laying in Port Royal harbour, in the said island of Jamaica.

He also deposes and says, that the said Francis Duffield informed this deponent, that the twelfth day of the said month of April, 1777, was the day fixed upon for the elopement of the said Mary Macnamara Dobbin; but such elopement was prevented by the unexpected arrival of the said Clotworthy Dobbin, at his said house, on the said day: and the said Mary Macnamara Dobbin sent a negro boy to the deponent, to acquaint him of the arrival of the said Clotworthy Dobbin, and to desire him to inform the said Francis Duffield thereof, which he accordingly did.

He further deposes and says, that about nine o'clock in the evening of the said twelfth of April, the said Francis Duffield shewed this deponent a letter, which this deponent verily believes was of the proper hand-writing of the said Mary Macnamara Dobbin, he this deponent then and now knowing her manner and character of hand-

He also deposes and says, that the said Francis Duffield, and Mary Macnamara Dobbin, informed this deponent, that they were determined to go off together; and the said Francis Duffield declared, that he would shoot the first man who should attempt to prevent their going off together; and on the fourteenth of the said month of April, 1777, the said Francis Duffield shewed this deponent a letter, which he said he had just received from Captain Everitt, commander of his Majesty's sloop Badger, whereby he was informed, that every thing was ready for the reception of
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him and Mary Macnamara Dobbin, on board the said sloop, Badger, and desiring that the said Mary Macnamara Dobbin might leave a letter or note with some of her friends, signifying, that he the said Captain Everitt was ignorant of her eloping with the said Francis Duffield; that the said Francis Duffield then gave this deponent the letter, and directed him to take the same to Mrs. Dobbin, and to write a note in his name to her, to acquaint her that he was gone to prepare every thing for her reception: and to desire her to appoint a time and place for their meeting, in the evening of the said day, in order that he might then conduct her on board the said sloop; and this deponent wrote such note, and then went and delivered the same, and the said letter, to Mrs. Dobbin, who, after having read them, gave them back to this deponent, and desired him, when he returned home, to burn them both, (which he did) and said, that she could not then appoint the time or place for meeting the said Francis Duffield, but she would send a note that afternoon,

to acquaint him therewith: and, in the morning of the said day, (before the deponent so saw her, and delivered the said letter and note to her) she sent some gowns of her's, and some sheets, and other things, to the said Francis Duffield's house, with directions for the same to be immediately sent on board the said sloop Badger.

He further deposes and says, that, in the afternoon of the said fourteenth of April, 1777, the said Mrs. Dobbin's negro boy, came to the said Francis Duffield's house, in Spanish Town, with two notes from her, one of them sealed up, and directed to the said Francis Duffield; and the other unsealed, and directed to this deponent; and, in the note addressed to this deponent, she desired him to send off ~~the~~ things as soon as possible; and in the other note, addressed to the said Francis Duffield, (which he read to this deponent, as soon as he broke the same open) she appointed to meet him about seven o'clock in the evening of the said day, in Player's Walk, in Spanish Town: that the said Francis

Duffield informed this deponent, that he could not leave Spanish Town, until this deponent had been on board the said sloop Badger, and fetched some papers belonging to him, and which had been packed up, and sent on board the said sloop, by mistake; that this deponent accordingly went to Port Henderson, and there got into the boat belonging to the said sloop Badger, (all the wherries there having been hired by Francis Duffield, to prevent a pursuit, and such boat being then waiting there to convey the said Francis Duffield and Mrs. Dobbin on board the tender belonging to the sloop Badger) and went on board the said sloop, then laying in Port Royal harbour, aforesaid, about a league and an half distant from Port Henderson, and brought from on board the papers desired; and, as he was returning in the said boat to Port Henderson, he was hailed by the said Francis Duffield, who, together with Mr. Stone, an intimate acquaintance, and Mrs. Dobbin, were in a wherry rowed by negroes; and thereupon this deponent caused the said boat to be rowed to the said wherry,

wherry, and delivered the said papers to Francis Duffield, who then got into the said boat; and this deponent, by his directions, got into the said wherry; and, according to the said Francis Duffield's orders, the said negroes kept rowing the said wherry between Port Royal, and Port Henderson, whilst he went to Port Royal and came back again; and when he came back again, he took Mrs. Dobbin in his arms out of the said wherry, and into the said boat belonging to the sloop Badger; and then the said Francis Duffield said, he wished this deponent well, and desired him not to mention any thing he knew concerning the said elopement of Mrs. Dobbin; and she likewise spoke to the deponent to the same effect; and immediately afterwards, the said boat was, by their orders, rowed away, and they were conveyed that night on board the tender belonging to the Badger, as this deponent hath been informed, and verily believes.

He further says, that, in the month of June last, he went with an officer of the sheriffs of the county of Middlesex, to the

the house of Mrs. Ellis, in St. Alban's Street, in the said county, where he had been informed the said Francis Duffield and Mara Macnamara Dobbin, lived and cohabited together as man and wife; and they there found the said Francis Duffield, whom the said officer arrested at the suit of the said Clotworthy Dobbin, for assaulting and running away with his said wife, as this deponent hath been informed and verily believes.

He also deposes and says, that he doth verily and in his conscience believe, that the said Francis Duffield, and Mary Macnamara Dobbin, now live and cohabit together as husband and wife, in Upper Brook Street, Grosvenor Square, in the said county of Middlesex; for he hath been to a house in the said street, kept by the said Francis Duffield, and delivered a letter addressed to the said Mary Macnamara Dobbin, to a woman-servant, who said she would immediately deliver the same to her, as she was then at home, thereby meaning in the said house; and this deponent hath several times seen her in the said

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Francis Duffield's chariot, driven by his coachman, and attended by his footman.

He further deposes and says, that he doth verily and in his conscience believe, that the said Clotworthy Dobbin had not had the carnal use and knowledge of the body of the said Mary Macnamara Dobbin, since the time of her elopement with the said Francis Duffield, as herein before deposed.

THOMAS STUBBIN.

4th February, 1778.

The Deposition of Abigail Ellis.

ABIGAIL ELLIS, of St. Alban Street, in the parish of St. James, Westminster, in the county of Middlesex, widow, aged about sixty years, a witness produced and sworn, deposes and says, that, in the month of May, 1777, Francis Duffield took lodgings in this deponent's said house in St. Alban's Street, aforesaid, for a small family, which he said consisted of himself,

himself, a wife, and a servant, and they accordingly came to live and reside there; and she now well knows, that the lady, whom the said Francis Duffield said was a wife, is Mary Macnamara Dobbin, (wife of Clotworthy Dobbin) party in this cause: and she further saith, that the said Francis Duffield, and Mary Macnamara Dobbin, lived and cohabited together in this deponent's house, from the time the said lodgings were taken, for about six weeks, and constantly lay together in one and the same bed, as she doth verily believe: that, for the first three weeks, this deponent looked upon, and considered the said Mary Macnamara Dobbin, as the wife of the said Francis Duffield; but, at the expiration thereof, the said Francis Duffield informed the deponent that she was not his wife, but a young creature eloped from her friends; and shortly afterwards, he signified to this deponent, that she was the wife of another person; and several times, when speaking to this deponent of the said Mary Macnamara Dobbin, he called her "Mistress D——," and whilst they
so

so continued in her house, she was informed by some person, but whom she cannot recollect, that the name of the lady who so lived with the said Francis Duffield, was "Dobbin:" that the said Francis Duffield and Mary Macnamara Dobbin, went into the country together, and left their said lodgings about six weeks, and then returned, and continued in such lodgings about six weeks longer; during which time they constantly lay together in one and the same bed, as she doth verily believe, there being but one bed in the chamber where they slept.

She further deposes and says, that the said Francis Duffield, and Mary Macnamara Dobbin, removed from this deponent's said house to a house taken by the said Francis Duffield, in Upper Brook Street, near Grosvenor Square, in the county of Middlesex, where they have ever since lived, and still do live, as she doth verily believe: that she hath been to the said house, and seen the said Francis Duffield, and Mary Macnamara Dobbin there; that the said Mary Macnamara

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Dobbin,

Dobbin, in order to excuse her conduct in leaving her husband, hath, since she hath lived in Upper Brook Street aforesaid, told this deponent, that her said husband had left her for many months with a small family, and that she was young and inexperienced in life, and she had no doubt but that the said Francis Duffield would marry her.

ABIGAIL ELLIS.

5th February, 1778.

The Deposition of Mary Smith.

MARY SMITH, of Tottenham Court, in the parish of St. Pancras, in the county of Middlesex, spinster, aged about twenty years, a witness produced and sworn, deposes and says, that she came to know Mary Macnamara Dobbin (wife of Clotworthy Dobbin) one of the parties in this cause, in the month of May, 1777, by Francis Duffield, Esq. taking lodgings in the house of Mrs. Ellis, in St Alban's Street, in the parish of St. James, Westminster,

minster, in the county of Middlesex, with whom this deponent then lived as a servant; and his coming to live there with the said Mary Macnamara Dobbin, who then passed for his wife: that soon after they came to live in such lodgings, this deponent quitted the said Mrs. Ellis's service, and hired herself as a servant to the said Mary Macnamara Dobbin, who then went by the name of Duffield, and lived with her about six months as such: that, about six weeks after she so went to live with her, the said Francis Duffield was arrested by Clotworthy Dobbin, the husband of the said Mary Macnamara Dobbin, for damages done to him, in running away with his said wife, from the island of Jamaica; and held to bail for a thousand pounds, as the said Mary Macnamara Dobbin told this deponent; and she hath also several times talked to this deponent about her said husband, and mentioned her having had four children by him, and that she left them in his house, on the island of Jamaica: that the said Francis Duffield, and Mary Macnamara Dobbin, lodged at the house of the

saïd Mrs. Ellis about six weeks, and then removed to a ready-furnished house on Winchmore Hill, in the county of Middlesex, where they continued about two months; and then returned to the saïd Mrs. Ellis's, and there remained about five or six weeks; and from thence removed to Upper Brook Street, Grosvenor Square, in the county of Middlesex, where they now live and reside together: that, during the whole of the time this deponent lived with the saïd Francis Duffield, and Mary Macnamara Dobbin, they cohabited together as husband and wife, and constantly lay together naked and alone in one and the same bed: and, as she doth verily believe, frequently had the carnal use and knowledge of each other's bodies, and thereby committed the crime of adultery together; for she hath frequently seen them in bed together, when she hath taken away the candle at night, and given the saïd Mary Macnamara Dobbin her cloaths in the morning.

The Name or Mark X of
MARY SMITH.

7th February, 1778.

The Deposition of James Lee.

JAMES LEE, of Spanish Town, in the island of Jamaica, Esq. now residing at Miss Owen's, No. 6, in the borough of Southwark, in the county of Surry, aged about twenty-four years, a witness produced and sworn, deposes and says, that he is very intimately acquainted with Clotworthy Dobbin, one of the parties in this cause, and hath so been about three years; and came so to be by visiting him frequently at his house in Spanish Town, aforesaid, and he hath known him by sight about six years; and he hath also known Mary Macnamara Dobbin, (wife of the said Clotworthy Dobbin) by sight about seven years, and came to know her by seeing her at her mother's house in Spanish Town, aforesaid, and since her marriage with the said Clotworthy Dobbin, he hath been very intimate with her; and he further saith, that, during the absence of the said Clotworthy Dobbin from his house in Spanish Town, aforesaid, in 1776, this
deponent

deponent frequently called to see and visit the said Mary Macnamara Dobbin, at her said husband's house, and several times saw Francis Duffield, Esq. there with her; and they conversed freely, and appeared to be very intimate with each other.

He further deposes and says, that in the month of April, 1777, the time more particularly he cannot recollect, it was currently reported in Spanish Town, that the said Mary Macnamara Dobbin was gone off with the said Francis Duffield, in the Badger Man of War; and the said Mary Macnamara Dobbin was missing from her husband's said house, when the said ship failed: and he further saith, that he, this deponent, left the said island of Jamaica on the first of July last, and arrived in England in or about the latter end of the month of September, or the beginning of October following; and soon after his arrival, he, this deponent, having been informed where the said Mary Macnamara Dobbin lived, went to see and visit her, at the house of the said Francis Duffield,

situate in Upper Brook Street, near Grosvenor Square, in the county of Middlesex; and then found that she lived with the said Francis Duffield, at his said house, and went by the name of Dobbin; and this deponent doth verily and in his conscience believe, that the said Francis Duffield and Mary Macnamara Dobbin, hath frequently, since she left her said husband's house, had the carnal use and knowledge of each other, and thereby committed the crime of adultery together; and the reason of such his belief is, that the said Mary Macnamara Dobbin hath, since his said arrival in England, informed this deponent, that the said Francis Duffield was exceedingly kind to her, and that she was with child by him.

JAMES LEE.

The

24th February, 1778.

The Deposition of James Lee.

JAMES LEE, a witness heretofore examined in this cause, attended again, and by the directions of the proctor for Clotworthy Dobbin, party in this cause, and with the knowledge of the proctor of Mary Macnamara Dobbin, party in this cause, was examined to the paper-writing, marked with the letter A, pleaded and exhibited, and which is now produced and shewn to him, he deposes and says, that, on the twenty-first of July, 1777, he collated the said exhibit, with the register book of marriages, kept for the parish of St. Catherine, in the island of Jamaica, and found the same to agree with its original entry, in the said register-book; and in testimony thereof, he subscribed the name, "James Lee," thereto, in manner and form as now appears thereon; and he lastly saith, that he doth verily believe, and is convinced in his conscience, that Clotworthy Dobbin, and Mary Macnamara

Davis

Davis, therein mentioned, and Clotworthy Dobbin, and Mary Macnamara Dobbin, his wife, the parties in this cause, were, and are the same persons.

JAMES LEE.

7th February, 1778.

The Deposition of John Williams.

JOHN WILLIAMS, of Narrow Wall, in the parish of St. Mary, Lambeth, in the county of Surry, gentleman, aged about twenty-five years, a witness produced and sworn, deposes and says, that he is an entire stranger to Clotworthy Dobbin, and Mary Macnamara Dobbin, his wife, the parties in this cause, and never saw either of them, to his knowledge; and he further saith, that he now is, and for some time past has been, clerk to Messrs. Gregg and Pitts, attornies at law, living at Skinners Hall, on Dowgate Hill, London, who are concerned for Mr. Clotworthy Dobbin, who he apprehends

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hends and believes, to be one of the parties in this cause ; and, by their direction, he this day searched the bail book of Edward Willes, Esq. one of the justices of the Court of King's Bench, at Westminster, and found that in last Michaelmas Term, bail was put in for Francis Duffield, Esq. to answer the action commenced against him by the said Clotworthy Dobbin ; and this deponent verily believes, that the said Francis Duffield, Esq. was to bail in the sum of one thousand pounds, in such action, by virtue of a judge's order for that purpose, first obtained ; by reason that he hath seen an endorsement to that effect, on the process, or writing, issued in the said cause.

JOHN WILLIAMS.

S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, a definitive sentence or decree was promulged to the following effect, *viz.* That Mary Macnamara Dobbin, after the solemnization and consummation of her marriage with Clotworthy Dobbin, being altogether unmindful of her conjugal vow, and not having the fear of God before her eyes, but moved by the instigation of the devil, did, in the years and months libellate, commit the crime of adultery with Francis Duffield, Esq. &c. and did thereby violate her conjugal duty, &c. it is therefore pronounced and decreed, that the said Clotworthy Dobbin shall be divorced, &c. from bed, board, and mutual cohabitation with the said Mary Macnamara Dobbin, his wife, by reason of adultery, &c.

R I C H A R D D R A P E R,

A G A I N S T

E L I Z A B E T H D R A P E R.

L I B E L given in the 26th of *Janua.*,
1771.

I N the Libel above-mentioned, Richard Draper, of the parish of St. Ethelburgh, London, sets forth, that, being a bachelor, he made his addressees of love and courtship to Elizabeth Draper, then Elizabeth Hartnell, spinster, a minor, and that on the 16th of December, 1764, they were lawfully joined together in matrimony. That, soon after the solemnization and consummation of the marriage; the said Elizabeth Draper, being of a loose and abandoned disposition, and unmindful of her conjugal vow, gave herself up to a lewd and
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vicious life and conversation, and contracted an illicit and adulterous intercourse with strangers, particularly with William Penfold, Charles Ruffel, John Haylock, and others, and very frequently committed the foul crime of adultery with them; and, at length, took so little care to conceal her vicious inclinations, from any other person except her husband, that no person of virtue would keep her company; many of her friends dropping their acquaintance with her on that account. That she confessed this adulterous intercourse to her husband, in the presence of some of her relations and others, with great seeming penitence and sorrow, whereupon her husband put her away; and she afterwards wrote several letters to him, confessing her misconduct, and entreating forgiveness for the same, &c.

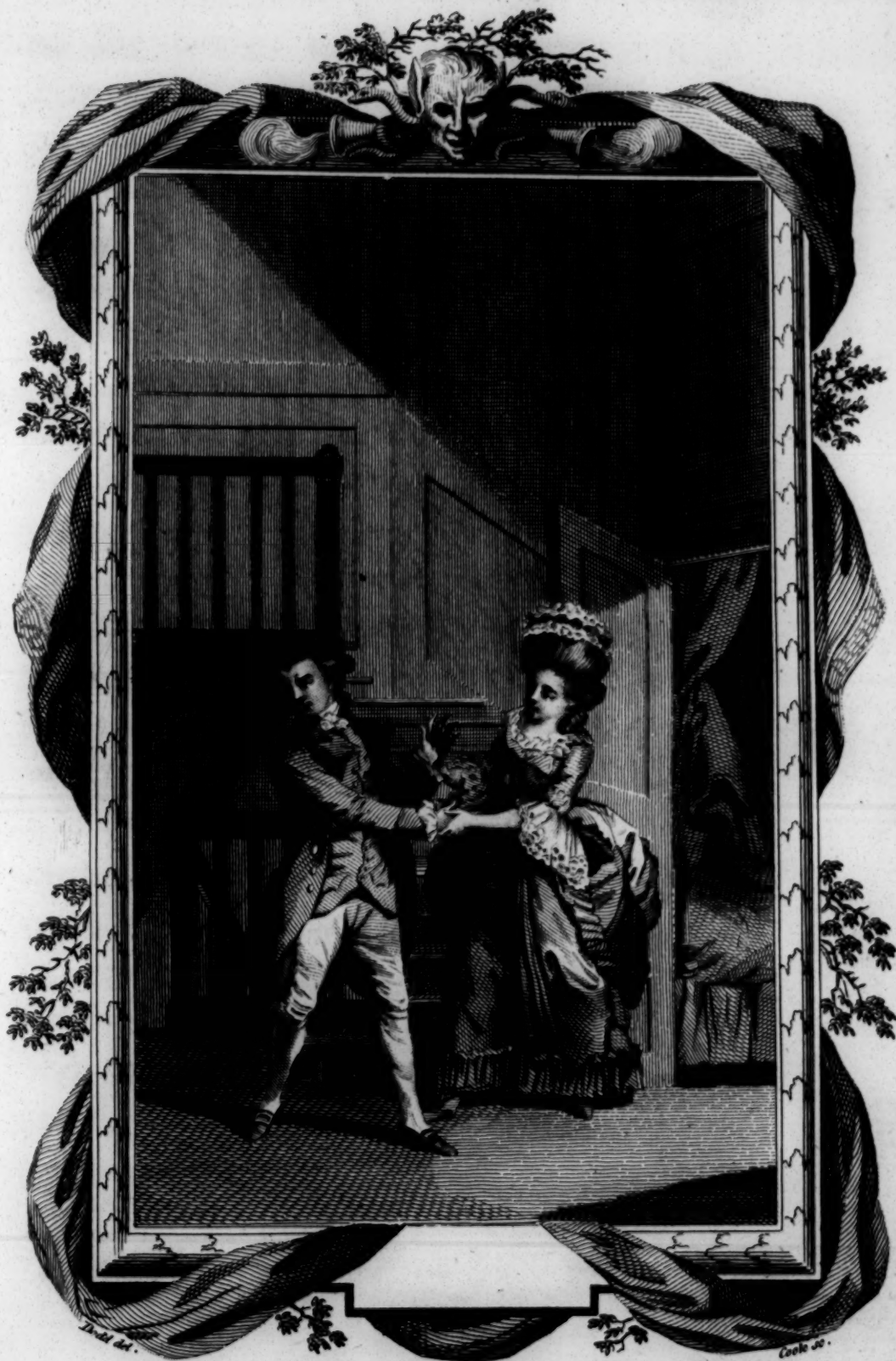
6th February, 1771.

The Deposition of Edward Goode.

EDWARD GOODE, of Great Kirby Street, Hatton Garden, in the county of Middlesex, linen draper, aged seventeen years,

years, deposes and says, that he hath known Richard Draper, party in this cause, for about three years last past; that some time about the middle of the month of April last, this deponent came from Newark in Gloucestershire, to London, and went to dine with the said Richard Draper, at his house in Bishopsgate Street; and then, for the first time, the deponent saw Elizabeth Draper, his wife, the other party in this cause: and the said Richard Draper invited the deponent to come and stay at his house, till the deponent could get a place in the linen-drapery way; and, the next day, the deponent, in consequence of such invitation, went to the said Richard Draper's house: but, the first time the deponent saw the said Elizabeth Draper, she trod upon the deponent's toes, and squeezed his hand; and this deponent, having no acquaintance with the said Elizabeth Draper, thought she was in joke, and playing with him: and this deponent, the day after he had been in the said Richard Draper's house, being sitting up with her alone, in the little dining-room

of the said Richard Draper's house (and he the said Richard Draper being gone down into the shop) Elizabeth Draper asked the deponent to go with her to the top of the house, to see some pigeons which they had ; and the deponent went up stairs with her, and saw the pigeons ; and afterwards Elizabeth Draper laid hold of both the deponent's hands, and pulled him into a room in which there was a bed, and she put her arms round the deponent's neck, and kissed him, and swore that she loved him : and the deponent told her that it did not signify, that, she being a married woman, was tied from him, and that he should be wrong to encourage it : and the deponent left the room, and went down stairs, and, as he was leaving the room, she said to him, " Blast your eyes." And the next day, being a Saturday, the deponent's mother and one Mr. Godin, with the deponent, being at dinner with the said Elizabeth Draper, they made an appointment to go to St. James's together the next day ; and the next morning, about eight o'clock, the deponent enquired



*M^r Draper importuning her husband's Apprentice to go
with her into the Bedchamber.*

See N^o 9 pa. 4 of Trials for Adultery.

Published as the Act directs, by S. Bladon, 28th Oct: 1780.



of the servant maid, whose name was Nanny, whether Elizabeth Draper was up; and the maid went up stairs to her, and came down to the deponent and told him, that Elizabeth Draper desired the deponent to come up to her; and accordingly the deponent went up stairs into the bed-chamber where Elizabeth Draper was in bed; and the deponent had the door in his hand, and asked the said Elizabeth Draper what she wanted; and she said to the deponent "Come to bed to me". And the deponent turned about, made no answer to her, left the room directly, and went down into the little dining-room, which is upon the first floor; and the said Elizabeth Draper soon after came into the dining-room dressed, and she came and sat upon the deponent's knees, and made use of many amorous speeches, kissed the deponent, and put his hand upon her breasts; and the said Elizabeth Draper put herself across the deponent's legs, pulled up her petticoats, and said to the deponent "Will you?" And thereupon the deponent committed the crime of adultery with her; and,

and, about three days afterwards, being the latter end of the said month of April, or the beginning of May, this deponent being alone with the said Elizabeth Draper in the little dining-room, after dinner, and the said Richard Draper being gone below stairs, Elizabeth Draper came and sat upon the deponent's knees, and kissed him, and he then committed adultery with her: and the said Elizabeth Draper several times afterwards wanted this deponent to lay with her, but, for fear of being discovered, the deponent refused, and she quarrelled with the deponent on that account; and swore at him very much: and he further saith, that, whilst the deponent was in the said Richard Draper's house, the said Elizabeth Draper used frequently (in the absence of her husband) to send for William Penfold, the said Richard Draper's apprentice, to come up stairs, and the deponent generally left the room, and left the said Elizabeth Draper and William Penfold alone in the little dining-room; and the deponent, being once in the little dining-room with them, looking out of the
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the window, and happening to turn about, he saw the said William Penfold kissing the said Elizabeth Draper, and afterwards the deponent several times saw William Penfold kiss her, and put his hands upon her breast; and the said Elizabeth Draper sit upon his knees: and this deponent saith, that, on a Friday night in the said month of May, the time more particularly he cannot say, on which evening the said Richard Draper went to Hertford, this deponent was in a room adjoining to the little dining-room; and he heard Elizabeth Draper and William Penfold talking together; and heard Elizabeth Draper tell William Penfold that Richard Draper would not lay at home that night,—that he was going to Hertford, and she said to him “Will you lay with me to night?” And the said William Penfold made answer that he would; and desired her not to lock her door: and this deponent laid awake to hear him come, the deponent intending to speak to him; and, about twelve o’clock, he heard him come down stairs, and he knocked at Elizabeth’s Draper’s door: and
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the deponent jumped out of bed, and the said William Penfold, hearing the noise made by the deponent (as he believes) returned up stairs again, the deponent hearing him, and he did not then go into the said Elizabeth Draper's bed-chamber: and this deponent saith, that, William Penfold is no ways related to Elizabeth Draper, to the best of his knowledge and belief; that Elizabeth Draper is a woman of a very loose and abandoned disposition, and curses and swears very much, and gave herself up to a vicious life and conversation; that very few people visited her; but often two or three young fellows came running into the house, and went up stairs to her, when the said Richard Draper was absent; so much that the apprentice and porter in the shop would laugh and say, that such young fellows were gone to kiss their mistresses, meaning Elizabeth Draper: and he further saith, that, on a Sunday in the said month of May, as this deponent and William Penfold were going to Greenwich together; this deponent mentioned to him that he heard him make an appointment to
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lay with Elizabeth Draper; and then the said William Penfold acknowledged to the deponent that he had often laid with her; and he told the deponent he had suspicions of him, from what Elizabeth Draper had dropped: and the deponent did then acknowledge that he had had criminal conversation with her: and they both agreed to tell the said Richard Draper of each other, whoever had the first and best opportunity; but they first agreed that a letter should be wrote, to tell her that he the said William Penfold would have nothing further to do with her; and desiring her to reform; but she still continuing her solicitations to the said William Penfold, as he informed the deponent, they determined to let the said Richard Draper know of her behaviour; and, in about a week afterwards, the deponent took an opportunity of telling Richard Draper, that Elizabeth Draper had seduced William Penfold, and that he had lain with her: and the next evening the deponent was called up stairs, when the said Richard Draper charged her, before the deponent,

and some of her relations, that she had had a criminal connection with the said William Penfold : and the said Elizabeth Draper, seemingly with great sorrow and concern, confessed the same to be true; and further he cannot depose.

EDWARD GOODE.

11th February, 1771.

The Deposition of Joseph Marshall.

JOSEPH MARSHALL, of St. Ives, in the county of Huntingdon, farmer and carrier, aged seventy years, deposes and says, that he hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for several years last past, the deponent having for some years done business for him as a carrier : and this deponent, being well acquainted with them, invited them to his house ; and some time in the month of March, 1769, the time more particularly he cannot say, the said
Elizabeth

Elizabeth Draper was upon a visit at the deponent's house, at St. Ives, in the county of Huntingdon: and this deponent saith, that, he well remembers, that on a Thursday evening, about eight o'clock, whilst the said Elizabeth Draper was at his house, he had several friends with him, and this deponent was called out of the room by Mary Allen, the deponent's house-keeper's daughter; and she told the deponent, that one John Lankester, of St. Ives aforesaid, whom the deponent well knows, was up stairs in the bed-chamber with the said Elizabeth Draper, and that the door was locked; and thereupon this deponent was in a passion, and bid the said Mary Allen go up stairs, and tell the said John Lankester immediately to quit his house, and to tell the said Elizabeth Draper to prepare herself to go to London, for that she should not stay in the deponent's house; and that he will not sit down to another meal with her: and this deponent did not afterwards see the said Elizabeth Draper, and he believes she quitted his house the next morning, and

did not return any more: and the said Mary Allen, at such time, told this deponent, that she saw through the key-hole that the bed was tumbled, in the room where the said John Lankester and Elizabeth Draper were together; and he the said John Lankester did not come to visit this deponent, but was at his house without his knowledge or consent; and further to the said article he cannot depose.

JOSEPH MARSHALL.

12th February, 1771.

The Deposition of Mary Allen.

MARY ALLEN, of St. Ives, in the county of Huntingdon, spinster, aged twenty-four years, deposes and says, that, for about two years and an half last past, she hath known Richard Draper and Elizabeth Draper, his wife, parties in this cause, and came so to know them by their being acquainted with Mr. Joseph Marshall, of St. Ives, in the county of Huntingdon, to whom the deponent's mother,
Mary

Elizabeth Draper.

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Mary Allen, is house-keeper; and the deponent hath lived with her mother, the said Mary Allen, in the said Joseph Marshall's house ever since she was a child: and she further saith, that, some time in or about the month of February or March, 1769, the time more particularly she cannot say, the said Elizabeth Draper was upon a visit at the said Joseph Marshall's house, and on a Thursday afternoon, whilst she was there, the deponent and the said Elizabeth Draper went out to drink tea at the house of one Mr. Kendall, then a grocer at St. Ives; and, after tea, they took a walk, and, as they were returning home, the said Elizabeth Draper said she would take an opportunity of calling upon Miss Lankester, the sister of John Lankester; and she mentioned that they had been very civil to her, and that the said John Lankester had sent her to town a brace of partridges; and the deponent begged to be excused, and said that she was going home: and this deponent accordingly went home, and about eight o'clock, or thereabouts, (she remembers that

that candles were lighted) the said Elizabeth Draper returned to the said Joseph Marshall's house, and with her the said John Lankester, whom she asked to walk up stairs with her; and this deponent lighted them up stairs into the said Elizabeth Draper's bed-chamber, in which there was a fire, and where the said Elizabeth Draper and the deponent were to sup that night; the said Joseph Marshall having company below stairs: and this deponent sat down with them in such bed-chamber, the said Lankester sitting near the said Elizabeth Draper, on one side of the table, and the deponent on the other; and soon afterwards the said Elizabeth Draper desired the deponent to go and fetch her some almonds and raisins, and thereupon she did suspect that something improper was going on between them, and she thought that she might be blamed to leave them alone together: and the deponent thought that it was a sufficient affront, and to shew that she did not approve of it, to ask her for money for the almonds and raisins, and she said that she

she had no change; and the said John Lankester gave the deponent money, and she went to buy the almonds and raisins, and was absent about a quarter of an hour, when she returned; and the deponent and the said Elizabeth Draper supped together, he the said John Lankester not eating any supper: and, after supper, the deponent said, that she would go and get some wine, and that she should not be back just yet; and the deponent went down stairs, and then up the back stairs, and pulled off her shoes and went to the door to listen; and there being a large hole near the lock, through which the deponent might see all about the room, this deponent looked into the room by such hole and saw them sitting by the fire together; and the deponent then observed that the bosom of the said Elizabeth Draper was quite naked, and she saw the said John Lankester put his hands into her bosom, and kiss her several times; and the boards at the floor on which she was standing making a little noise, the deponent heard the said Elizabeth Draper say, that somebody was coming;

ing; and the deponent went into an adjoining room, and soon afterwards the deponent returned, and looked in at the hole again, and saw the said Elizabeth Draper's head between the said John Lankester's legs; and the deponent went again into the adjoining room, and soon afterwards returned and looked in at the hole, and they had then left the fire place; and the bed was near the door, and this deponent plainly heard them upon the bed, and heard the bed to crack and make a noise, as if persons were pressing upon it; and the deponent heard them whisper upon the bed, and she continued at the door some few minutes and heard them whispering, and in motion upon the bed; and the deponent does therefore believe that they the said John Lankester and Elizabeth Draper committed the crime of adultery together: and the deponent then went down the back stairs, and put on her shoes; and the deponent went up the fore stairs, running and making a noise, that the said John Lankester and Elizabeth Draper might have no suspicion that she had been listening;
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ing ; and, when she came to the door, she found the same locked, or so fastened, that she could not get in : and one of them, she cannot now say which, came and opened the door, and let her in : and this deponent saith, that, previous to her going up stairs the last time, she mentioned to her mother, the said Mary Allen, the several circumstances by her before set forth, and she insisted upon the said Joseph Marshall's being called out of the room, and informed thereof ; and the said Joseph Marshall was called out and informed of the several circumstances aforesaid ; and the said Joseph Marshall told this deponent to tell the said Elizabeth Draper, that it was his desire that she should not bring the said Mr. Lankester to his house any more, and to get home as fast as she could herself ; for that if she was to stay in the house ever so long, he would not sit down to another meal with her ; and the said Joseph Marshall expressed himself in words to that or the like effect : and the deponent acquainted the said Elizabeth Draper with what the said Joseph Marshall said, and

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she

she accordingly took a place in the St. Ives machine for Saturday, the first day the machine went to London, and on Saturday left the said Joseph Marshall's house, and did not return there any more; and this deponent saith, that, soon after Michaelmas, 1768, she this deponent was in London for near a quarter of a year; and, during that time, was a fortnight or three weeks at a time with the said Elizabeth Draper, at the said Richard Draper's house, in Bishopsgate Street; and this deponent several times observed the said Elizabeth Draper to whisper with one William Penfold, an apprentice to the said Richard Draper, but on what account she knows not, or what business she might have with him; and by reason of the premises by her before deposed of, she looks upon the said Elizabeth Draper as a woman of a very loose and abandoned disposition, and of a lewd and vicious life and conversation, and further she cannot depose.

MARY ALLEN.

The

*4th March, 1771.**The Deposition of William Penfold.*

WILLIAM PENFOLD, of the Strand, in the parish of St. Martin in the Fields, in the county of Middlesex, grocer, aged eighteen years, deposes and says, that, in the beginning of the month of March, 1768, this deponent came from the country, and went to the house of Richard Draper, party in this cause, a grocer in Bishopsgate Street, in order to be upon trial to be his apprentice; and the deponent was then about the age of sixteen years; that thereby he came to know Elizabeth Draper, his wife, the other party in this cause, and this deponent used frequently to dine with the said Richard Draper and Elizabeth Draper, and when the said Richard Draper was from home, the deponent used to dine alone with the said Mrs. Draper; and this deponent continued in the said Richard Draper's house till some time in or about the month of May last; and this deponent saith, that, in about three weeks after the deponent

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went to the said Richard Draper's house, the said Elizabeth Draper made advances to this deponent, and shewed a desire for the deponent to have connections with her; the deponent being one Sunday, the latter end of the said month of March, sitting alone with her in the dining-room up one pair of stairs, when she came and kissed the deponent; and on the Sunday following, in the month of April, the particular day of the said month he cannot say, the deponent being sitting alone with the said Elizabeth Draper in the dining-room after dinner, she came to the deponent and kissed him, and put her hand to his breeches, and unbuttoned his breeches, and asked the deponent to enjoy her; and she pulled up her petticoats, and the deponent then, by her desire, had carnal knowledge of her, and committed the crime of adultery with her; and, for the whole time that the deponent continued in the said Richard Draper's house, upwards of two years, he this deponent very frequently, (sometimes twice a week) and when opportunity served, that the said
Richard



Dodd delin. *Grignon sculp.*
M^{rs} Draper taking unwarrantable Liberties with
William Pinfold. — See Trials for Adultery, N^o 10, Page 20.
4th Nov. 1780, by S. Bladen.



Richard Draper was from home, had carnal knowledge of the said Elizabeth Draper in such dining-room : and afterwards, when they removed to another house nearer Bishopsgate, the deponent frequently had the carnal knowledge of her upon her own bed in her bed-chamber : and the deponent saith, that, he did not make any advances to the said Elizabeth Draper, nor by his conduct shew any wish and desire to have any criminal conversation with her ; and therefore the deponent looks upon her to be a woman of a loose and abandoned disposition.

He further deposes and says, that, on a Sunday afternoon, happening some time in or about the month of November, 1768, the said Elizabeth Draper and the deponent being sitting alone together in the said Richard Draper's house, in Bishopsgate Street, and the said Richard Draper being gone to Hertford, Elizabeth Draper told the deponent she would take him to a house in Hedge Lane ; and they set off from the said Richard Draper's house, and, at the Royal Exchange, they took

took a coach to Charing Cross, and from thence the said Elizabeth Draper conducted this deponent to a house in Hedge Lane, where the deponent was an entire stranger; and they went into such house, and the deponent followed her up stairs into a bed-chamber, and upon the bed in such bed-chamber, the deponent had the carnal knowledge of the said Elizabeth Draper, and committed adultery with her; and the said Elizabeth Draper then declared to the deponent, that she knew the house very well, and had been there before.

He further deposes and says, that, on a Friday in the month of May last, the said Richard Draper being gone to Hertford, where he was to stay all night, the deponent being sitting alone with the said Elizabeth Draper in the dining-room, she proposed to the deponent to come down in the night, and to come to bed to her; and this deponent agreed so to do, and accordingly, about twelve o'clock, the deponent left his own bed, and went down naked to the said Elizabeth Draper's bed-chamber, and knocked at the door; and,

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whilst

whilst the deponent was waiting at the door, he heard a noise as if the person in the next room (whose name was Goode) was getting out of bed; and the deponent fearing that he should be discovered, returned to his own room, and did not go to the said Elizabeth Draper that night.

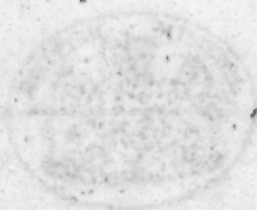
WILLIAM PENFOLD.

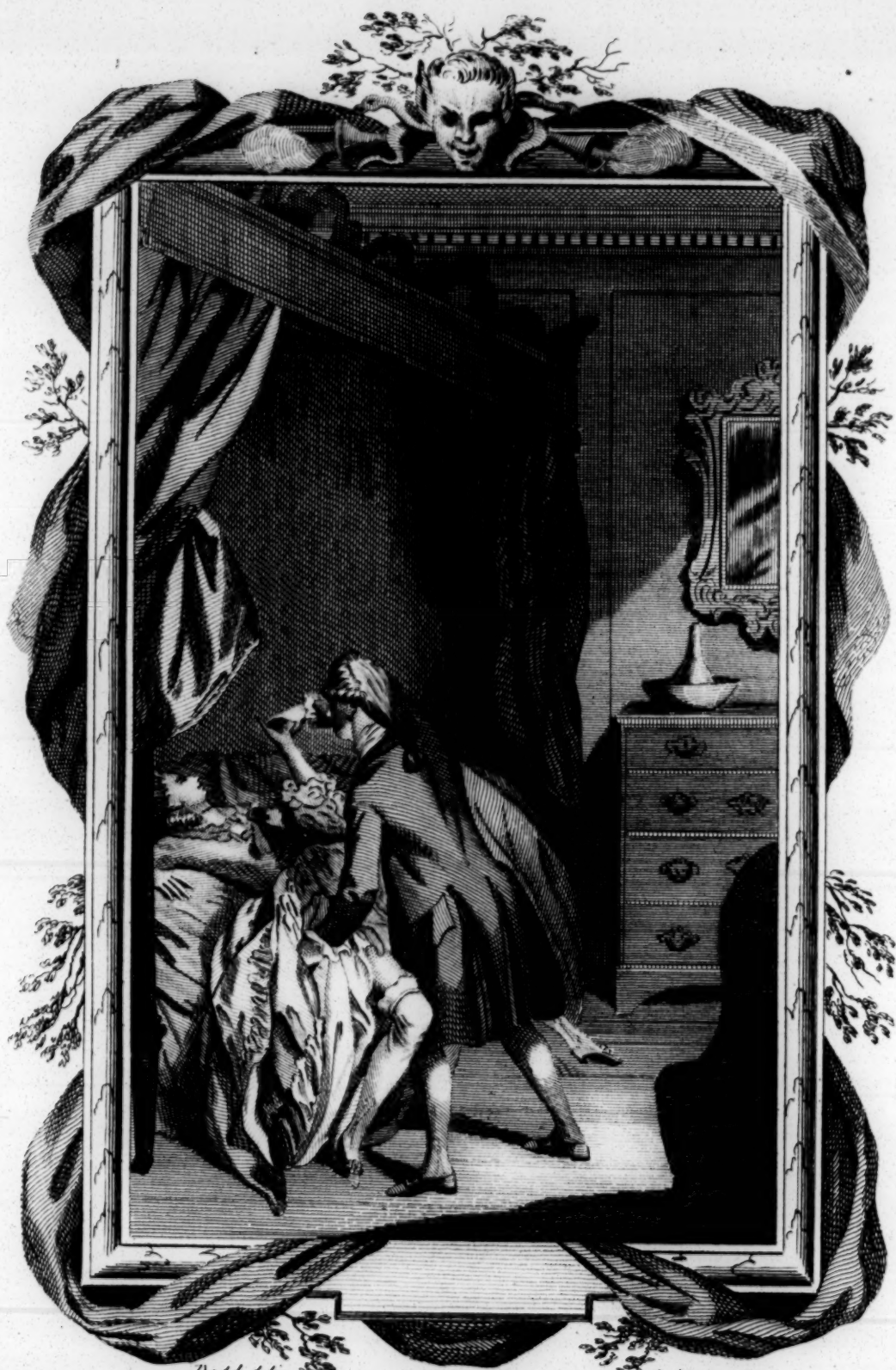
11th March, 1771.

The Deposition of John Lankester.

JOHN LANKESTER, of the parish of Sutton, in the Isle of Ely, leather merchant, aged twenty-two years, deposes and says, that he hath seen Richard Draper, the party in this cause, but hath no acquaintance whatever with him; that he hath known Elizabeth Draper, his wife, the other party in this cause, for about two or three years last past, and came so to know her by meeting her at the house of one Mr. Peacock, a grocer, at St. Ives, in the county of Huntingdon; where the
deponent

deponent till last October lived and resided : and this deponent saith, that, from some hints the said Elizabeth Draper gave the deponent, the first time he so saw her at the said Mr. Peacock's house, this deponent thought that he might do just what he pleased with her ; and the deponent, from such hints, took occasion to ask her to come to his father's house to tea with his sister, and in two or three days time she came to the deponent's father's house ; and the deponent's father, he believes, was from home : and the deponent contrived to get his mother and sister into the shop upon some business, and thereupon the deponent and the said Elizabeth Draper went up stairs into the bed-chamber belonging to the deponent ; and, the house being then repairing, the deponent went into a little closet with the said Elizabeth Draper, and the deponent had there the carnal knowledge of the said Elizabeth Draper with her consent, and committed adultery with her : and this deponent saith, that, some time in or about the month of March, 1769, the time more particularly he





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M.^r Draper and M.^r Lankaster.

See N^o 10, of Trials for Adultery, page 25.

9th Dec^r 1780 by S. Bladon.

he cannot say, the said Elizabeth Draper being upon a visit at the house of one Mr. Joseph Marshall, a carrier at St. Ives, aforesaid; she, the said Elizabeth Draper, as he now best recollects, called at the deponent's father's house, and the deponent went with her from thence to the house of the said Joseph Marshall, and the deponent went up stairs into a bed-chamber in the said Joseph Marshall's house, with the said Elizabeth Draper, and one Molly Allen, who lived in the said Joseph Marshall's house: and the said Elizabeth Draper took occasion to send the said Molly Allen out of the room, for some almonds and raisins, and, whilst she was absent, he had the carnal knowledge of the body of the said Elizabeth Draper, upon the bed in such bed-chamber; and the said Molly Allen returned, and the said Elizabeth Draper contrived to send her again for some wine, and the deponent had again the carnal knowledge of the said Elizabeth Draper, in the absence of the said Molly Allen: and, in a few days afterwards, the deponent met her by appointment at Cambridge,

bridge, but the name of the person who kept the house he cannot say, but the house was an inn or public-house, known by the sign of the Wrestlers, and at such house the deponent had the carnal knowledge of the said Elizabeth Draper, and committed adultery with her; and further he cannot depose.

JOHN LANKESTER.

19th March, 1771.

The Deposition of Mary Hill.

MARY HILL, of Enfield, in the county of Middlesex, spinster, aged twenty-four years, deposes and says, that she hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for many years last past; that she keeps a shop at Enfield in the county of Middlesex, and she and her friends have for some years dealt with the said Richard Draper in his business, of a grocer; and this deponent
saith,

saith, that, a great while ago, she believes more than a year, the said Elizabeth Draper was at the deponent's house at Enfield for a week, and whilst she was there, the deponent saw her write, and afterwards received several letters from her; and thereby she came to know and be acquainted with her manner and character of hand-writing; and she having now carefully viewed and perused the said several exhibits or paper-writings, marked C, D, E, and F, purporting to be letters from the said Elizabeth Draper, to the said Richard Draper, her husband, she saith, that, she verily and in her conscience believes, the whole series and contents of the said exhibits, or paper-writings, the name "E. Draper" subscribed to the paper writings marked D and F, the name "Eliz. Draper" subscribed to the paper-writings marked C and E, the subscriptions on the said paper-writings D and E, and the postscript to the said paper-writing E, to be all of the proper hand-writing and subscription of the said Elizabeth Draper, party in this cause, and that she

believes by the words " My dear and most injured husband" wrote at the beginning of the paper-writing marked C, and the words " My dearest and most affectionate husband" wrote at the beginning of that marked D, and the words " To Mr. Richard Draper" superscribed thereon, and the words " I hope my dear and much injured husband" at the beginning of that marked E, and " Mr. Draper" superscribed thereon, and the words " My dearest and kind husband" wrote at the beginning of that marked F, she, the said Elizabeth Draper, meant and intended the said Richard Draper, party in this cause, and no other person whatever ; and that Elizabeth Draper, who wrote and subscribed the said exhibits or paper-writings, and superscribed two of them, and Richard Draper, to whom they appeared to be wrote and addressed, and Elizabeth Draper and Richard Draper parties in this cause, are the same persons and not diverse, and further to the said articles she cannot depose.

MARY HILL.

The

19th March, 1771.

The Deposition of Sarah Elliot.

SARAH ELLIOT, spinster, of the town of Hertford, in the county of Hertford, at present housekeeper to Richard Draper, party in this cause, aged thirty years, deposes and says, that, for upwards of fifteen years last past, she hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause; that, about three years ago, the deponent was, for the space of four months, in the said Richard Draper's house in Bishopsgate Street; and, during the said time, Richard Draper was from home for some time, and she the said Elizabeth Draper went into the country for about six weeks: and this deponent saith, that, whilst she was in the said Richard Draper's house, when the said Elizabeth Draper was at home, and her husband Richard Draper was abroad, this deponent could not help observing her particular behaviour towards William Penfold, who was an apprentice to the said

Richard

Richard Draper, and no ways related to him or the said Elizabeth Draper, as she verily believes; she frequently sending for him up stairs and taking all opportunities of shewing her fondness for him, and she frequently declared that she wished her husband was dead; and this deponent saith, that she hath gone into the room, where they have been sitting alone together, and they seemed surprized and confused, and coloured as if they had been doing something they should not do: and this deponent saith, that, from the conduct and behaviour of the said Elizabeth Draper to the said William Penfold, she this deponent did suspect, and always thought, that, one time or other, something would come out respecting an improper intercourse between them.

To the exhibits or paper-writings marked with the letters C, D, E, and F, purporting to be letters from the said Elizabeth Draper, to the said Richard Draper, her husband, she deposes and says, that she hath often seen the said Elizabeth Draper

Draper write and is perfectly well acquainted with her manner and character of hand-writing, and subscription; and, she having now carefully viewed and perused the said several exhibits, marked C, D, E, and F, she saith, that she verily and in her conscience believes, the whole series and contents of the said exhibits, or paper-writings, the name "E. Draper" subscribed to the paper-writing marked D and F, the name "Eliz. Draper" subscribed to the paper-writing marked C and E, the superscriptions on the said paper-writings D and E, and the postscript to the said paper-writing E, to be all of the proper hand-writing and subscription of the said Elizabeth Draper, party in this cause; and that she believes by the words "My dear and most injured husband" wrote at the beginning of the paper-writing marked C; the words "My dearest and most affectionate husband" wrote at the beginning of that marked D, and the words "To Mr. Richard Draper" superscribed thereon, and the words "I hope my dear and much injured husband"

at

at the beginning of that marked E, and "Mr. Draper" superscribed thereon, and the words "My dearest and kind husband" wrote at the beginning of that marked F, she, the said Elizabeth Draper meant and intended the said Richard Draper, party in this cause, and no other person whatever; and that Elizabeth Draper, who wrote and subscribed the said exhibits, or paper-writings, and superscribed two of them, and Richard Draper, to whom they appeared to be wrote and addressed, and Elizabeth Draper and Richard Draper, parties in this cause, are the same persons and not diverse, and further she cannot depose.

SARAH ELLIOT.

The

*12th April, 1771.**The Deposition of Charles Russell.*

CHARLES RUSSELL, of the High Street, Wapping, in the county of Middlesex, victualler, aged thirty-five years, deposes and says, that, for many years last past, he hath known and been well acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause; that, in 1766, this deponent was master of a stage coach, belonging to Cheshunt, in the county of Hertford, and the deponent used most commonly to drive the same himself: that, in the summer of the said year 1766, the time more particularly he cannot now recollect, the said Elizabeth Draper, with a child and maid-servant, went down in the deponent's coach to Waltham Cross, in the parish of Cheshunt aforesaid; and she the said Elizabeth Draper went and lodged at the house of Susannah Latimer, whom the deponent well knew at Waltham Cross aforesaid; and the deponent understood she came into the country for the child's

health ; and this deponent very frequently went to the said Susannah Latimer's house, with parcels for the said Elizabeth Draper, from the said Richard Draper, her husband, and carried parcels from her to him : and this deponent frequently rode out on horseback, and was very intimate with her ; and this deponent saith, that, the said Elizabeth Draper came and sat upon the deponent's knees frequently, when he was alone with her at her said lodgings, and put her hands round his neck, and seemed desirous that the deponent would have a more intimate connection with her : and, at one of the said times, about or in the month of August or September, 1766, the time more particularly he this deponent cannot set forth, he lay with, and had carnal knowledge of the said Elizabeth Draper, at her lodgings, at the said Susannah Latimer's, by her consent and desire ; and thereby committed adultery with her : and he further saith, that, some time afterwards, he this deponent rode out with the said Elizabeth Draper on horseback, and they went together to
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see the garden of Lord Tylney, on Epping Forest, and they were alone together in the said gardens; and, in a summer-house in the gardens, he this deponent, by the consent and desire of the said Elizabeth Draper, lay with her, and had carnal knowledge of her, and committed adultery with her, and further he cannot depose.

CHARLES RUSSELL.

12th April, 1771.

The Deposition of Susannah Latimer.

SUSANNAH LATIMER, of Princes Street, Cavendish Square, in the county of Middlesex, spinster, aged sixty-five years, affirmeth and saith, that she hath known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for about five years last past, and came so to know them by the deponent's dealing with Mr. Hartnell, a grocer, the father of the said Elizabeth Draper: and she further

faith, that, in the month of July, 1766, the said Elizabeth Draper, with her child and a maid-servant, came and lodged at the deponent's then house at Waltham Cross, in the parish of Cheshunt, in the county of Hertford, and continued to lodge there for about three months; that, whilst she lodged in the deponent's house, Charles Russell, the then master of the Cheshunt stage-coach, very frequently came to the deponent's house, and brought parcels for the said Elizabeth Draper, and sometimes was late in the evening; and she the said Elizabeth Draper hath asked him to stay supper, and they have supped together alone in the deponent's said house; and he the said Charles Russell was very frequently with her, and often rode out with her on horseback; insomuch that it was the talk of the neighbourhood, that he had an improper intimacy with her; and this deponent does not think that she behaved with that decency and modesty, that she should have done, as a married woman, whilst she was in the deponent's house; she frequently talking in so free a
style

stile to the said Charles Russell, and behaving herself in a flighty manner, not becoming her situation, and further she cannot depose.

SUSANNAH LATIMER.

20th April, 1771.

The Deposition of Anna Drew.

ANNA DREW, (wife of Berry Drew) of Pennington Street, Ratcliff Highway, in the county of Middlesex, aged forty-eight years, deposes and says, that, between three and four years ago, the time more particularly she cannot now recollect, she this deponent went to live as a servant with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, and thereby came to know and be acquainted with them; and that she continued in their service for four months and a week; and she further saith, that, whilst she lived in their house, she observed that the said Elizabeth Draper shewed a particular

cular attention to and fondness for the said Richard Draper's apprentice, one William Penfold, frequently sending for him up stairs into the dining-room, when the said Richard Draper was gone out; and the said William Penfold used to stay alone with her above stairs, sometimes for half an hour, and sometimes more; that they talked French together, and seemed very free in their conversation, much more so than the deponent thought prudent and discreet in a modest woman: and this deponent, by her conduct, looked upon her to be a woman of a loose disposition; and when this deponent hath had occasion to go up stairs into the room where the said Elizabeth Draper and William Penfold were alone together, they have both coloured, and seemed confused and surprised at the deponent's coming into the room: and this deponent saith, that, William Penfold is not, to her knowledge or belief, any ways related to the said Elizabeth Draper: and this deponent saith, that during the time she lived in the said Richard Draper's house, the time she cannot set forth,

forth, but it was of a Sunday morning, about Bartholomew-tide, one John Haylock, belonging to the Cambridge coach or fly, was at the said Richard Draper's house in Bishopsgate Street, when he was absent in the country; and the said John Haylock was alone with her the said Elizabeth Draper in the dining-room above stairs, adjoining to which there was a bed-chamber that opened by glass folding doors; and when the said John Haylock was gone, and the said Elizabeth Draper was out, she this deponent had occasion to go into the bed-chamber to dust the room; and to her great surprize she found the bed, in such bed-chamber adjoining to the dining-room, which she had made in the morning, very much tumbled and pressed, as if two persons had laid thereon a-croß ways; and not in the usual ways from the feet to the head of the bed: and she the said Elizabeth Draper, that morning, seemed to take pains to get every body out of the way, and, by reason of the premises, she this deponent does verily believe, that on such Sunday morning the
said

said John Haylock and Elizabeth Draper laid together upon such bed, adjoining to such dining-room, and that they had then and there the carnal knowledge of each other, and committed the crime of adultery together, and further she cannot depose,

A N N A D R E W.

20th April, 1771.

The Deposition of Catherine Rutt.

CATHERINE RUTT, (wife of William Rutt) of Great Kirby Street, Hatton Garden, in the parish of St. Andrew, Holborn, London, aged twenty-eight years, deposes and says, that, for about two years last past, she hath known and been acquainted with Richard Draper, and Elizabeth Draper, his wife, the parties in this cause; and the deponent, and the said Elizabeth Draper, used to visit each other; and this deponent saith, that once, when the said Elizabeth Draper came to see the deponent

deponent, she had two or three young fellows with her, strangers to the deponent, who parted with her at the deponent's door: and she further saith, that, about this time twelve months, the time more particularly she cannot recollect, the deponent was with the said Elizabeth Draper, at her house in Bishopsgate Street, when a young man came up stairs for the said Richard Draper's coat; and whom she now knows to be William Penfold, an apprentice of the said Richard Draper's, and the said Elizabeth Draper went and got such coat, and when she gave the coat to the said William Penfold, she kissed him: and the said Elizabeth Draper, observing the deponent to be surprised, told this deponent that the said William Penfold was her cousin; and this deponent saith, that, she never knew or heard that the said William Penfold was any ways related to the said Elizabeth Draper, or to the said Richard Draper, her husband; and she verily believes, that the said William Penfold is no ways related to them, or either of them: and by reason of the premises, and

the particular flighty behaviour of the said Elizabeth Draper, about a month afterwards, when the deponent was with her at Ranelagh, she this deponent looks upon her to be a woman of a loose disposition, and further she cannot depose.

CATHERINE RUTT.

27th May, 1771.

The Deposition of John Haylock.

JOHN HAYLOCK, of Bishopsgate Street, London, clerk to Messrs. Gillams, aged twenty-one years, deposes and says, that, he hath known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for about three years last past, and the deponent used occasionally to visit them; and this deponent saith, that, as far as the said articles relate to a charge of this deponent's having had a criminal and adulterous intercourse with the said Elizabeth Draper, he this deponent is advised that he is not by law bound to depose thereto,

thereto, and therefore the deponent will not depose to the said articles as far as relates thereto; and further he cannot of his own knowledge depose, save that this deponent did not think it prudent or becoming the said Elizabeth Draper, as a married woman, to come to the accompting house where the deponent used to sit, and tap at the window; and the deponent told her it was very imprudent of her, that the neighbours would observe her, and her character would be much injured thereby, and thereupon she desisted.

JOHN HAYLOCK.

27th May, 1771.

The Deposition of William Rutt.

WILLIAM RUTT, of Great Kirby Street, Hatton Garden, in the county of Middlesex, gentleman, aged thirty years and upwards, to the exhibits, or paper-writings, marked with the letters C, D, E, and F, he deposes and says, that he hath

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known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, for a year and an half last past; and, during that time, hath several times seen the said Elizabeth Draper write, and subscribe her name, whereby he came to know, and be acquainted with her manner and character of hand-writing and subscription; and, he having now carefully viewed and perused the said exhibits, or paper-writings, purporting to be letters from the said Elizabeth Draper to the said Richard Draper, her husband, he saith, that he verily believes, the whole series and contents of the said paper-writings respectively, the name, "E. Draper" subscribed to those marked D and F, the name "Eliz. Draper" subscribed to those marked C and E, the superscriptions on those marked D and E, and the postscript to that marked E, to be of the proper hand-writing and subscription of the said Elizabeth Draper, party in this cause, and that, by the words "My dear and most injured husband" wrote at the beginning of the said exhibit marked C, and the words
"To

" My dearest and most affectionate husband" wrote at the beginning of the said exhibit marked D, and the words " To Mr. Richard Draper" superscribed thereon; and the words " My dear and much injured husband" at the beginning of the paper-writing marked E, and " Mr. Draper" subscribed thereon, and the words " My dearest and kind husband" wrote at the beginning of the paper-writing or exhibit, marked F, she the said Elizabeth Draper meant and intended the said Richard Draper, party in this cause, and no other person whatever; and that Elizabeth Draper, who wrote and subscribed the said exhibits, or paper-writings, and superscribed two of them, and Richard Draper to whom he believes the same were wrote and addressed and sent, and Elizabeth Draper, and Richard Draper, parties in this cause, to be the same persons and not diverse, and further he cannot depose.

WILLIAM RUTT.

The

27th May, 1771:

The Deposition of James Delegal:

JAMES DELEGAL, of Bishopsgate Street, London, engraver, aged twenty-three years, deposes and says, that, for about two years and upwards he hath known Richard Draper, and Elizabeth Draper, his wife, the parties in this cause, the deponent frequently visiting them at their house in Bishopsgate Street; and this deponent saith, that, in the summer of the year 1769, this deponent lodged in Broad Street, behind the Royal Exchange, and the said Elizabeth Draper frequently called upon the deponent, at his said lodgings, and the deponent was frequently at the said Richard Draper's house; and the said Elizabeth Draper at the deponent's lodgings, and at her husband's house, frequently kissed the deponent, and took many unbecoming familiarities with the deponent, such as unbuttoning his breeches, and laying hold of his p—te p—ts, and shewing a desire for the deponent to have criminal conversation with her :

her : and some time, the latter end of the said summer, this deponent was with the said Elizabeth Draper, and her husband, and another gentleman, Mr. Woollner, at Sadler's Wells, near Islington : and, during the performance, and whilst the said Elizabeth Draper was talking to her husband in the next seat, she was very indecent with the deponent, unbuttoned his breeches, and put her hand upon the deponent's p——te p—ts ; and, by reason of the premises, this deponent then did, and now does, look upon her to be a woman of a lewd and vicious life and conversation : and this deponent, out of the great esteem and regard he had for the said Richard Draper, used his endeavours to avoid any criminal connection whatever with her ; and the deponent continued his resolutions, and never had any criminal connection whatever with her ; and further he cannot depose.

JAMES DELEGAL.

S E N T E N C E.

Upon hearing the depositions of the witnesses in this cause, a final sentence was given to the following effect, *viz.* That after the solemnization and consummation of the marriage, Elizabeth Draper, wife of Richard Draper, unmindful of her conjugal vow, &c. did in the years and months libellate, commit the crime of adultery, in violation of her conjugal vow. It is therefore pronounced, decreed, and declared, that the said Richard Draper ought by law, to be divorced and separated from bed, board, and mutual cohabitation with the said Elizabeth Draper, his wife, until they shall be reconciled to each other, and they are divorced and separated accordingly.

